SOCIAL WELFARE LAWS

—of—

CONNECTICUT

Revised Through 1945

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JOHN M. DOWE,
State Comptroller.

PUBLICATION APPROVED
COMMISSIONER OF FINANCE AND CONTROL

356655

PREFACE

New laws and amendments to existing statutes enacted by the 1945 General Assembly presented sufficient need for a revision of the 1943 compilation of the "Social Welfare Laws of Connecticut" to cause the Commissioner of Finance and Control to authorize this publication.

The welfare laws which concern veterans are again included in this revision in order that all social agencies may have ready reference to benefits and services available to clients who are veterans or members of the families of veterans.

Some of the acts of the 1945 general assembly repealed existing statutes rather than amended them. For the convenience of those accustomed to refer to the former statute designations for subject matter covered in new law, the former statute numerical designation has been retained in this compilation followed by the new section number.

Notwithstanding the profound effect the statutes concerning labor, education and finance exert upon the social welfare of the state, many of them have not been included in this compilation due to limitations of space.

PUBLIC WELFARE COUNCIL
William W. T. Squire,
Secretary-Director.

SOCIAL WELFARE LAWS OF CONNECTICUT

ADMINISTRATION

State and State-Aided Agencies

Sec. 753g. Effective date of public acts. All public acts, except when otherwise therein specified, shall take effect on the first day of October following the session of the general assembly at which they are passed, and special acts, unless otherwise therein provided, from the date of their approval. S. 6569 1943

Sec. 40h. State Agencies to file regulations. Each state executive agency shall, on or before April 15, 1945, file with the secretary of the state an original or duplicate original of each regulation affecting the public interest made by such agency and in force at that time. Said secretary shall submit such regulations, on or before April twentieth to the 1945 session of the general assembly for study, and any such regulation disapproved by resolution of the assembly shall be void and shall not be reissued. 1945

Sec. 41h. Failure to file regulations. Any state executive agency which failed to file its regulations with the secretary of the state on or before April 15, 1945, as provided by section 40h, shall be notified by said secretary and such regulations shall be invalid until filed with said secretary in accordance with the provisions of section 42h. 1945

Sec. 42h. Filing and publication. Approval gy general assembly. Each such regulation made after April 15, 1945, shall be filed with said secretary in duplicate and shall not take effect until the secretary shall have caused such regulation to be published in the Connecticut Law Journal. The editor of the Connecticut Law Journal and Connecticut Supplement shall prepare suitable copies of each such regulation for distribution by the secretary on request and shall, from time to time, publish all such regulations as an appendix to the Connecticut Supplement. On or before February fifteenth in each odd-numbered year, said secretary shall submit all such regulations issued in the biennium preceding January first of such year to the general assembly for study, and any such regulation disapproved by the assembly by resolution shall be void and shall not be reissued. 1945

Sec. 43h. Regulations invalid unless filed. No regulation of any such agency shall be valid unless filed as herein provided. 1945

Sec. 166 as amended by Sec. 17e. Purchase or sale of land when the general assembly is not in session. The trustees of any state institution may, with the advice and consent of the governor, purchase or acquire for the state any land or interest therein when the general assembly shall not be in session, if such action shall seem advisable to protect the state's interest or to effect a needed economy, and may, when the general assembly shall not be in session, 1927, C. 186 1930 1937, S. 194

with the advice and consent of the governor, contract for the sale of any land or interest therein belonging to the state. The governor, when the general assembly shall not be in session, may give or obtain an option upon any land or interest therein which is not under the control of the trustees of any state institution when such action shall seem advisable, and such option shall remain in force until the first Wednesday of March of the next session of the general assembly. The treasurer shall execute and deliver any deed or instrument necessary to convey the title to any property the sale of which or a contract for the sale of which is authorized by this section.

1925 C. 244

Sec. 176. Care of property. The board of trustees of each state institution shall have the care, management and control of all property used in connection with such institution and shall have the power to make and alter, from time to time, all necessary rules and regulations for the maintenance of order on and the safety and use of any such property. Any person who shall trespass upon such property or who shall violate any of the rules and regulations of any such board of trustees concerning the use of such property shall be fined not more than one hundred dollars or imprisoned not more than thirty days or both.*

1925 C. 250

Sec. 177. Attendance of trustees or directors. The office of any trustee or director of any institution receiving state aid, appointed by the governor or the general assembly, who for a period of two successive years shall have failed to attend any of the meetings of the board of trustees or directors of which he is a member, shall be vacant, provided such trustee or director shall have had notice of each of such meetings; and, unless otherwise provided by statute, rule, regulation or by-law governing such board of trustees or directors, such board shall fill such vacancy.

1918, S. 177
1919, C. 289

Sec. 178. Fiscal year. The fiscal year for all departments of the state government shall end on the thirtieth day of June.

A combination of provisions taken from numerous statutes.

Sec. 184. Expenses paid by the state. Expenses incurred in the discharge of their official duties by directors of state institutions, members of state boards, commissioners, deputy commissioners and executive heads of state departments and by their subordinates under their direction shall be paid by the state.

1921, C. 250
1923, C. 182

Sec. 185. Inventory of state property. Each state department and state institution shall establish and keep an inventory account in the form prescribed by the comptroller, and shall, annually, on or before August first, transmit to him a detailed inventory, as of June thirtieth, of all property, real or personal, owned by the state and in custody of such department or institution.

1921, C. 303

Sec. 187. Refund of moneys paid by mistake. The comptroller, upon application of any state department or commission and with the approval of the attorney general, may draw his order upon the treasurer in favor of any person equitably entitled to the refund of any money paid by mistake to the state, for the amount of such refund.

1918, S. 1873

Sec. 188. Institutions with state aid; visitation. Each private institution receiving, directly or by way of contract, any money from the state for purposes including the support or board of beneficiaries of the state, which shall refuse access to the proper board or official authorized by the state to visit such institution, shall forfeit all unpaid moneys or appropriations which it would otherwise have been entitled to receive from the state. All contracts

* See Sec. 84e. 86e and 89e.

with any such private institution made by the state, or by any authority acting for the state, shall be made subject to the provisions of this section.

Sec. 189. New statute. Sec. 38h. Appropriations to hospitals. All appropriations to hospitals by the general assembly shall be expended under the direction of the governor and of the managers of such institutions, respectively, for the support of charity patients, and so used as to benefit the state as application may be made from time to time, a report of which expenditures shall be made biennially to the general assembly; but no part of such appropriations shall be paid to any of such hospitals unless the same be in actual operation, unless the purpose for which an appropriation is to be expended is for a building and is so specified in the act making such appropriation. Each such hospital receiving state aid shall be paid at the rate of four dollars per day for the care and treatment of any patient when such expense is to be paid from state funds either directly or through the agency of any town or organization. 1918, S. 1864 1930 1937, S. 90e 1941 1943, S. 211

Sec. 190. Hospital societies' reports. All hospital societies receiving aid from the state shall, in July of the even numbered years, make report for the two years ended on June thirtieth previous, and such report shall include an itemized statement of expenditures, with the name of each person receiving any salary or wages and the kind of service paid for, and the amount paid to each, and a statement of the different amounts paid for other separate purposes, and of the number of patients cared for, the average number for each year and the total number of weeks of care of all patients. 1918, S. 180 1919, C. 315

Sec. 191. Uniform system of accounting for hospitals receiving state aid. The uniform system of accounting recommended by the American Hospital Association shall be installed by all hospitals receiving state aid. 1929, C. 277

Sec. 192. Inspection of hospital records. Each private hospital, public hospital society or corporation receiving state aid shall, upon the demand of any patient who has been treated in such hospital and after his discharge therefrom, permit such patient or his physician or duly authorized attorney to examine the hospital record, including the history, bedside notes, charts, pictures and plates kept in connection with the treatment of such patient, and permit copies of such history, bedside notes and charts to be made by such patient, his physician or duly authorized attorney. 1927, C. 291 S. 1

Sec. 193. Procedure where right to inspect records is denied. If any patient who has received treatment in any such hospital, after his discharge from such hospital, shall have made written application to such hospital, hospital society or corporation for permission to examine his record as such patient in such hospital and shall have been refused permission to examine or copy the same, such patient may file a written motion addressed to any judge of the superior court, praying for a disclosure of the contents of such hospital record relating to such patient and for a production of the same before such judge. Upon such application being filed, the 1927, C. 291 S. 2, 3, 4

* See Sec. 91e. 92e. and 93e.

Sec. 90e. Counties held to be separate governmental divisions and not in classification set forth in this tatute; money paid by a county cannot be said to be within the statutory provision of being paid by the state directly. 127 C. 53-60.

Sec. 189. Cited 127 C. 55.

Sec. 190. Cited 92 C. 120.

judge to whom the same shall have been presented shall cause reasonable notice to be given to such hospital, hospital society or corporation of the time when and place where such petition will be heard, and such judge, after due hearing and notice, is authorized to order the officer authorized to act in the capacity of manager of such hospital to produce before him and deliver into his custody the history, bedside notes, charts, pictures and plates of such patient for the purpose of being examined or copied by such patient, his physician or duly authorized attorney. Each officer of any hospital having custody of the history, bedside notes, charts, pictures or plates of any patient therein, who shall refuse to produce such record before such judge, pursuant to the provisions of this section, shall be fined not more than one hundred dollars or imprisoned not more than six months or both.

1913, S. 178
1930
1937, S. 96d

Sec. 194 as amended by Sec. 96e. Forms of reports to state officers. All reports or returns by any state or county officer, or by any superintendent or other officer or board of any institution supported either wholly or in part by the state, including county temporary homes, which by law are required to be made to any state officer and to contain accounts of moneys received or expended, shall be filed, in duplicate, with the comptroller, and the comptroller shall prescribe the form and detail in which the financial and statistical portions of such reports or returns shall be made, and shall furnish blank forms therefor. Upon his approval of any such report or return with respect to such form and detail, the comptroller shall transmit one copy thereof to the officer of the state to whom such report or return is required by law to be made, and shall keep the other copy on file in his office for public inspection. The comptroller shall tabulate the cost of the maintenance of the institutions mentioned in this section, and such tabulation shall remain on file in the office of the comptroller, for public inspection. He may make special examination of any or all of such institutions for the purpose of preparing such tabulations. The comptroller, upon approval of the governor, shall draw his order on the treasurer for the amount of such expense as he shall find necessary, provided such sum shall not exceed five thousand dollars in any fiscal year.

1913, S. 183
1919, C. 308

Sec. 195. Annual and biennial reports. All reports and returns which any public officer is required by law to make annually shall be for the fiscal year preceding, and all reports and returns which any such officer is required by law to make biennially shall be for the two fiscal years preceding; and all such reports and returns as are required to be made annually, except where it is otherwise provided, shall be made, returned and printed on or before the thirtieth day of September in the year in which they are required to be made. All such reports and returns as are required to be made biennially shall be made, returned and printed on or before the thirtieth day of September preceding the next regular session of the general assembly.

1913, S. 179
1919, C. 254

Sec. 196. Reports to be made to the governor. All reports required to be made by state departments, institutions, commissions, boards or any other recipients of state money shall be made to the governor and by him transmitted to the general assembly; all such reports, except those of the insurance commissioner, the public utilities commission and the bank commissioner, shall be made to and including June thirtieth, and shall be published on or before the thirtieth day of September following.

Sec. 196. Cited 92 C. 106, 120.

Sec. 40c. Destruction of state records. With the permission of the attorney general, the comptroller, the treasurer, each commissioner and the head of each state department, commission or board are authorized, each at his discretion to cause to be destroyed any records or files in his custody or in the custody of such department, commission or board at any time after six years from the date thereof. 1933

Sec. 43c. Treatment of venereal diseases in hospitals receiving state aid. No hospital which receives appropriations made by the general assembly and which has facilities reasonably suitable for the treatment of venereal diseases shall refuse to admit for treatment any patient suffering from any such disease. 1935

Sec. 132 as amended by Sec. 34e. Distribution of reports of state officers. The secretary of the state shall transmit to the town clerk of each town, to each county law library, and to each public or circulating library the officers of which shall make written requests for the same, one copy of all printed reports made to the governor or general assembly, bound in a convenient number of volumes, and to each public or circulating library the officers of which shall make written request for the same, one copy of the latest revision of the general statutes, which shall be kept in the office of such clerk, and in such library, for public use. He shall transmit to each such library requesting it such of the aforesaid reports which have been hitherto published as he can obtain. 1918, S. 143 1930 1937, S. 34d

Sec. 93e. Funds from the federal government for new construction and for other purposes. The governor is designated, as administrative agent of the state, to apply for any funds or other aid for new construction, reconstruction and equipment for state institutions, for the University of Connecticut and for any other purpose which the congress of the United States has authorized or may authorize the federal government to grant to the several states. The governor, or any other officer of the state who may be designated in any act passed by the congress of the United States, is authorized, in the name of the state, to make all applications and sign all documents which may be necessary to obtain such aid from the United States or any agency thereof. The state treasurer is directed to receive all funds granted by the United States, or by any agency thereof, and to hold the same separate from all other funds of the state. Such funds shall be disbursed by said treasurer, upon voucher of the comptroller, under the direction of, and subject to rules and regulations of, the governor. 1937, S. 93d

Sec. 94e. Hours of labor of employees in state institutions. Except in case of an unavoidable emergency, no employee in any state institution, except those employed in a professional capacity, shall work more than fifty-four hours in any week. 1937, S. 94d

Sec. 50g. Institutional activity funds; definition. As used in this act, "activity fund" shall mean any fund, except that covered by section 761e of the 1939 supplement to the general statutes, operated in any state educational, welfare, medical or correctional institution for the benefit of the employees, inmates or students of such institutions, including so-called patients' funds in state hospitals, the revenue of which is derived from the operation of canteens, vending machines, dramatics, recitals, student fees, membership fees, deposits or any other legal source compatible with the good government of such institutions. See Appendix I. 1943

Sec. 51g. Establishment of funds. The administrative head of any institution operated by any state agency, board, department or commission may, with the approval of the comptroller 1943

and under such regulations as the commissioner of finance and control may prescribe, establish one or more activity funds. The governor may allot from the funds appropriated to any such institution any amount needed in his judgment for the establishment of any such activity fund, and said commissioner shall provide by regulation for the reimbursement of such appropriation. The use of such state facilities as space,fixtures, heat and light to obtain revenue from the foregoing sources is authorized. That part of any state employee's time which can be definitely allocated to services connected with such activities and the cost of bonding any such state employee shall be financed through such activity fund. At the end of each fiscal year any cash balance in such fund not needed for the maintenance and continuance of its activities may, with the approval of the commissioner of finance and control, be transferred to the "Inmates General Welfare Fund" of such institution if such a fund has been established and, if not, shall remain in such activity fund.

1943 **Sec. 52g. Management of funds.** The management of such funds may be under the control of students, employees or inmates other than those adjudged mentally ill, but shall be under the supervision of the administrative head of the institution. The person acting as treasurer of any such fund shall be bonded in an amount determined by the commissioner of finance and control.

1943 **Sec. 53g. Statement and audit of accounts of funds.** The administrative head of any institution operating an activity fund shall file, or cause to be filed, a balance sheet and statement of operations with the commissioner of finance and control at such times as said commissioner may order. A copy of such statements shall be filed with the auditors of public accounts, who shall, at least annually, audit the accounts of such activity funds.

1943 **Sec. 54g. Inmates general welfare funds.** Unclaimed funds accumulated from money deposited for the use of inmates in any state institution, and the interest on any such money, which funds are in the custody of the administrative head of such institution, shall be placed by him in a fund to be known as the "Inmates General Welfare Fund" and shall be used under such regulations as the commissioner of finance and control may prescribe, for the benefit of the inmates of such institution in any manner which the governing board of such institution may deem suitable.

1943 **Sec. 55g. Report and audit of accounts of funds.** The administrative head of any institution operating such a fund shall file a financial report with the commissioner of finance and control at such times as said commissioner may order. A copy of such statements shall be filed with the auditors of public accounts, who shall, at least annually, audit the accounts of such funds.

1943 **Sec. 56g. Unclaimed articles in custody of heads of institutions.** Notwithstanding the provisions of chapter 275 of the general statutes, any unclaimed article of jewelry or any accumulation of such articles or valuables in the custody of the administrative head of any state institution shall be retained by such administrative head for a period of three years, during which period he shall make every reasonable effort to return each such article to its owner. At the end of said period such administrative head may sell or otherwise dispose of such article with the approval of the governing board of such institution.

1943 **Sec. 57g. Revenue from sale of unclaimed articles.** Any revenue derived from the sale of any such articles shall be credited to the "Inmates General Welfare Fund" of the institution in

which they were found, and, if from any institution not having such a fund, shall be paid to the state treasurer and credited to the general fund of the state.

Sec. 339. New statutes Sec. 65h. Birth certificates; information required. Each physician or midwife who has professional charge of the mother at the birth of any child shall, within ten days after such birth, and the father or mother of such child, when no physician or midwife is employed or, in case of the inability of the attending physician or midwife, by reason of sickness, death or absence, to make out such certificate, shall, within thirty days after such birth, furnish the registrar of the town in which such birth occurred a certificate signed by such physician, midwife, father or mother, stating, from the best information available, the name, if such child have a name, the place and date of birth, the sex, the name of the father, except as provided in Sec. 66h, the maiden name of the mother, the age, color, residence and birthplace of each of the parents, the occupation of the father, the number of the child and the name and address of the medical attendant. The certificate prescribed by this section shall include such additional information as the state department of health may require. 1918, S. 329 1919, C. 56 1930, S. 339 1933, S. 60c 1939, S. 114c 1943, S. 84g 1945

Sec. 66h. Restrictions. No certificate of birth shall contain any specific statement or reference to illegitimacy of the child, or that the child was born in or out of wedlock, or to the marital status of the mother. The name of the putative father of an illegitimate child or of a child born out of wedlock shall not be entered in or upon the birth certificate or birth record of such child without the written consent of the putative father. 1945

Sec. 68h. Examinations of birth certificates and records. With the exception of the chief executive officer of the municipality or his authorized agent, attorneys at law and title examiners, no person, except the person whose birth is recorded, if over twenty-one years of age, or his parent or guardian if a minor, shall have any access to or be permitted to examine the original or any copy of the birth certificate or birth record, of any person, nor shall he disclose any matters contained therein or any information concerning such birth, which original, copy or information is in the custody of any registrar of vital statistics or of the state department of health nor shall he be entitled to any copy of any such certificate, record or information, except upon written order of a court of record or upon written request of a state department or the federal government when approved by the department of health. 1945

Sec. 69h. Certification of birth registration. The registrar of vital statistics of the town in which the birth occurred or the state department of health shall issue, upon request of any person, a certification of birth registration, which shall contain only the name, sex, date of birth, place of birth and date of filing of the certificate of birth of the person to whom it relates. 1945

Sec. 70h. Birth certificates of adopted persons born outside the state. The state department of health may prepare a certification of birth registration for any person born outside of the state and adopted in this state and for whom the state of his birth will not furnish a substituted birth certificate, provided a certified copy of the order of adoption of the probate court of the district in which the adoption proceedings were had and such other evidence as is considered satisfactory by the state department of health shall be filed with said department. Such certification of birth registration shall contain only the adopted name, sex, date of birth, place of birth and date of preparation of such certification of birth registration by the state department of health, but no certification of birth registration shall be prepared by the state 1945

department of health unless upon specific written request of the person to whom the certification of birth registration relates, if over twenty-one years of age, or of the adopting parents. When the state department of health has prepared such certificate of birth registration, copies thereof shall be issued in accordance with the provisions of section 69h.

1945 **Sec. 71h. Certification of birth to have force and effect of original.** Any certification of birth, when properly certified by the local registrar or the state department of health, shall be prima facie evidence of the facts therein stated in all courts and places and in all actions, proceedings or applications, judicial, administrative or otherwise, and such certification of birth shall have the same force and effect, wherever offered, with respect to the facts therein stated as an original certificate of birth.

1945 **Sec. 72h. Birth certificates, certified copies of: where issued.** Such registrar or the state department of health may issue a certified copy of the certificate of birth of any person born in this state (a) upon the order of a court of record; (b) upon the specific written request of the person to whom the record of birth relates, if over twenty-one years of age, or of a parent or legal representative of such person or (c), when approved by the state department of health, upon the specific written request of any state or federal agency.

1945 **Sec. 73h. Fees.** The fee for a certification of birth registration shall be fifty cents and for a certified copy of a certificate of birth, one dollar. Such fees shall not be required of any state or federal agency.

1943 **Sec. 85g. When no certificate is on file.** Any adult or the guardian of the person of any minor, for whose birth no certificate is on file, may, with two other persons having knowledge of the facts, make, under oath, an affidavit as to the matters required to be set forth in a birth certificate under the provisions of section 114e of the 1939 supplement to the general statutes and file the same in the office of the registrar of vital statistics in the town where such birth occurred. Such registrar shall thereupon prepare a birth certificate based upon the information contained in such affidavit and file the same with such affidavit in the same manner as any other birth certificate. If unable to furnish an affidavit satisfactory to the registrar of vital statistics of such town, such adult or guardian may apply to the court of probate for the district where such birth occurred for an order requiring such registrar to prepare a certificate of birth of such adult or such minor containing the matters so required to be set forth. Such court shall, with or without notice and hearing, ascertain the facts as to the matters so required and issue an order directing such registrar to issue such a certificate based upon the facts set forth in such order. After issuing any such certificate, such registrar shall make a record of such birth, including in such record reference to such certificate and the affidavit or order of the court. The provisions of sections 334 and 2272 of the general statutes and section 116e of the 1939 supplement thereto shall apply to the acts of the registrar of vital statistics under this section.

1943 **Sec. 86g. Report of foundling children.** The executive authority of any agency or institution having, on July 8, 1932, the temporary custody of any foundling child, or upon accepting such a

custody, shall, within ten days from the passage hereof or from such acceptance, report to the registrar of vital statistics of the town or city where such child was found, on forms supplied by the state department of health as follows: The date and place of finding, the sex, the color, the approximate age, the name and address of such agency or institution and the name given to the foundling child. If a child for whom such a report has been registered is later identified and a certificate of birth is found or obtained, it shall be substituted and the previous report shall be sealed and filed in a confidential file, and such seal may be broken and the record inspected only upon order of a court of competent jurisdiction. The certificate prescribed by this section shall include such additional information as the state department of health may require. The executive authority of such agency or institution shall pay a fee of fifty cents to the registrar of vital statistics for recording each such report.

Sec. 502g. Correction of birth records. The state department of health shall, upon receipt of satisfactory proof in writing and under oath that the natural parents of a person have intermarried since the birth of such person, or whenever satisfactory proof in writing and under oath is submitted to said department with a written request that certain errors not apparent upon the face of the certificate of birth be corrected, prepare a new certificate of birth containing, with the other information required, the names of the parents or the corrected matter, which new certificate shall be substituted for the old, and the old certificate shall be sealed and filed in a confidential file. Copies of such new certificate shall be transmitted to the registrar having a record of such birth, and, when a certified copy of the birth of such person is requested by an authorized person, it shall be a copy of the new certificate of birth as prepared by the department, except when an order from a court of competent jurisdiction shall require the issuance of a copy of the original certificate of birth. 1943

Sec. 116e. Payment by the state of fees for records of vital statistics at state institutions. The fees due registrars of vital statistics as provided in section 331 of the general statutes, for the making of records, copies and indorsements required by section 334 of the general statutes shall be paid by the state so far as they relate to vital statistics of inmates of any state institution. All bills for such fees shall be submitted by such registrars to the state comptroller on or before January first of each year. If the registrar of vital statistics of any town or city shall receive a salary for the performance of his duties, the amount of fees due under the provisions of this act shall be paid by the state to such town or city. 1933, S. A. 1939

Sec. 2997. At public institutions. Any public institution of this state may erect and maintain a crematory for the incineration after death of the bodies of those connected with the institution officially or as inmates, and such others as may be deemed advisable. Such crematories shall be erected, maintained and conducted in accordance with the provisions of this chapter, and all cremations shall be made subject to the restrictions herein provided. No body shall be cremated in any such crematory if the body shall be claimed and removed, after notice, by friends or by the authorities of the town in which such person had a settlement; but any body may be cremated with the consent of such friends or such town authorities. 1918, S. 3049

See Secs. 2701, 2702

Commissioner of Welfare, Humane and Reformatory Agencies and Institutions

1919, C. 323.
S. 5, C. 345.
S. 1,3
1927, C. 14.
S. 1, 2, 4
1930, S. 1720
1935, S. 670c
1937, S. 363d

Sec. 1720 as amended by Sec. 564e. Commissioner of welfare. The governor, on or before May 1, 1939, and quadrenially thereafter, with the advice and consent of the general assembly, shall appoint a commissioner of welfare to serve for four years from the first day of July next succeeding his appointment. Said commissioner shall be sworn to a faithful performance of his duties. He may delegate any of his powers and authority to any deputy, assistant, investigator or supervisor, who shall have within the scope of the power and authority so delegated, all of the powers and authority of the commissioner.

S. 5057
S. 5058,
S. 5059,
S. 5063
1935
1941

Sec. 692f. Overseer of Indians. The commissioner of welfare is authorized to act as overseer of all tribes of Indians residing in the state, and said commissioner shall annually settle his account of the affairs of each tribe with the comptroller, and his biennial report to the governor shall furnish, with respect to each tribe, a statement of the amount and condition of its fund, an estimate of the value of its lands and the income annually received and appropriated and expended by said commissioner for the benefit of such Indians, specifying the items furnished and received, and also the number and condition of such tribes. Said commissioner, as such overseer, shall have the general care and management of the property of any Indian residing upon a reservation owned or maintained by the state. Said commissioner shall cause the property of such Indians to be used for their best interest, and the rents, profits and income therefrom to be applied to their benefit.

1939
1943

Sec. 565e as amended by Sec. 368g. Delegation to municipal welfare departments. (a) The commissioner of welfare may delegate his powers and duties relating to the administration of public assistance to the aged, the blind and dependent children to the director of public assistance in any town or city, when such town or city is maintaining a welfare department which, in the opinion of said commissioner, is capable of performing and will perform such duties in accordance with the standards therefore established by him. (b) Any town acting as an agent of the state under the provisions of subsection (a) shall be reimbursed by the state for a portion of the salary of any persons employed by such town on such work, provided the qualifications of such worker shall be approved by the commissioner of welfare. The amount of such reimbursement shall be determined in accordance with a formula established by said commissioner with the advice of the public welfare council. (c) Upon request from any town, in which the need for public assistance is not sufficient to require the full-time services of a social worker, said commissioner may provide it with the services of such a worker, and the town shall pay the cost of such services as determined by said commissioner.

1919, C. 345
S. 1, 3
1930
1935

Sec. 1722 as amended by Sec. 672c. Administration of law concerning state paupers. The commissioner of welfare shall administer the law concerning state paupers. He shall collect from relatives any money due to the state for the support of those who are poor and unable to support themselves as provided in section 1717 and for the support by the state of persons confined in any institution maintained in whole or in part by the state as authorized by statute, and shall administer the provisions of chapter 99

Sec. 1723 as amended by Sec. 673c. Refund for support of persons in state institutions. Claim for any sum due from the state as a refund for the support of any person in a state institution may be made by a person entitled thereto to the commissioner of welfare, in writing, on forms furnished by said commissioner of welfare, who shall decide as to the amount due and, if satisfied that the claimant is entitled to any refund, shall certify the amount due to the comptroller, who shall pay the same. 1921, C 275 1930 1935

Sec. 1724 as amended by Sec. 673c. Sale of property of recipients of state aid. The commissioner of welfare is authorized to sell or otherwise dispose of any property in his custody, the value of which shall not exceed three hundred dollars, which belonged, at the time the same was taken into custody, to a person who had applied for or was receiving aid from the state. 1927, C 216 1930 1935

Sec. 1725 as amended by Sec. 673c. Disclosure of property of a person receiving state aid. Any person who shall have in his possession or control any property of any person applying for or receiving aid from the commissioner of welfare or who shall be indebted to such applicant or recipient or shall have knowledge of any property belonging to him, and any officer who shall have control of the books and accounts of any corporation which has possession or control of any property belonging to any person applying for or receiving such aid or is indebted to him, shall, upon presentation by the commissioner of welfare or any person deputized by him, of a certificate, signed by him, stating that such applicant or recipient has applied for or is receiving aid from said commissioner of welfare, make full disclosure to said commissioner of welfare or such deputy, of any such property or indebtedness. Such disclosure may be obtained in like manner of the property or indebtedness of any person liable for the support of any such applicant or recipient. See appendix (II). 1927, C. 217 1930 1935

Sec. 674c. Powers and duties. The commissioner of welfare shall administer the laws concerning old age assistance, and all powers and duties conferred or imposed upon the state agent of state agencies and institutions under the provisions of any statute, except as otherwise provided, are conferred and imposed upon and shall be performed by the commissioner of welfare. 1935

Sec. 566e. Reports to towns by the commissioner of welfare. The commissioner of welfare shall report quarterly to the selectmen of each town which is chargeable, in whole or in part, for the support of inmates of state institutions, the names of such inmates and the sums due for their support. 1937, S 364d

Sec. 567e. Federal appropriations for welfare purposes. The commissioner of welfare is empowered to administer, with the advice of the public welfare council, any and all moneys appropriated or to be appropriated by the federal government to the state of Connecticut for purposes of public welfare. Said commissioner is empowered to co-operate with the federal government and the several states in the promotion of activities in the field of public welfare. 1937, S 365d

Sec. 386h. Appointment of estate administrator. The office of estate administrator under the jurisdiction of the commissioner of welfare is established. On or before October 1, 1945, the commissioner of welfare shall, subject to the provisions of chapter 105a appoint a member of his office staff to be estate administrator. In 1945

the case of a vacancy in such office by reason of death, resignation or otherwise, said commissioner shall fill the same by appointing another member of his office staff.

1945

Sec. 387h. Oath and bond. Before entering upon the duties of his office, the person so appointed shall take, and file with the commissioner, an oath of office and execute a bond in such form and in such amount as shall be prescribed by the treasurer and the attorney general as provided under the provisions of section 2237, conditioned for the faithful performance of the duties of his office and that he will fully and correctly account for and pay over all moneys and property that come into his hands as such estate administrator.

1945

Sec. 388h. Employees; counsel. Said commissioner shall, subject to the provisions of chapter 105a, appoint such assistants, including stenographic and clerical employees, as may be necessary to carry out the duties of the office. The estate administrator may employ counsel in any estate, whose fees and expenses shall be approved by the probate judge and shall be borne by the estate.

1945

Sec. 389h. Duties. The estate administrator may act as guardian, conservator, administrator or trustee, or in any other fiduciary capacity under the jurisdiction and appointment of the probate courts of this state or like courts of any other state or of the United States, or any instrumentaliy of this state or any other state or of the United States qualified to appoint fiduciaries, only in connection with property of any minor, incapable, incompetent or deceased person, who is or has been receiving financial aid from the state or any county therein. The estate administrator shall have the same rights and powers and be subject to the same duties and obligations as are possessed by and imposed upon guardians, conservators, administrators and other fiduciaries, and such courts or instrumentalities are authorized to appoint the estate administrator, trustee or other fiduciary in connection with property of any such minor, incapable, incompetent or deceased person. The authority of the estate administrator to act and of the court or instrumentality to appoint such estate administrator shall be limited to cases in which the amount of property involved does not exceed five hundred dollars in value.

Sec. 390h. Bond in court proceeding not required. Unless otherwise directed by the court the estate administrator shall be excused from giving any bond in any court proceeding.

1945

Sec. 391h. Fees not allowed. No fee for services shall be allowed to the estate administrator by the probate court.

1921. C. 307, S. 2
1930. C. 98. S. 1910
1935. S. 712c
1937. S. 386d

Sec. 1910 as amended by Sec. 600e. Deputy. Child Welfare. The commissioner of welfare shall appoint a deputy to be in charge of child welfare, who shall have had not less than five years' experience in work involving the welfare of dependent and neglected children.

1937. S. 389d

Sec. 603e. Branch offices of the commissioner of welfare. The commissioner of welfare is authorized to establish branch offices at suitable places in the state, and the expense of leasing and maintaining the same shall be paid out of the appropriation for the office of the commissioner of welfare.

General Provisions

Sec. 707c. Use of oleomargarine in humane and reformatory institutions. No humane, charitable, reformatory or penal institution under state or county control, except the State Prison, the State Prison for Women, the Connecticut State Farm for Women, the Connecticut Reformatory and the county jails, shall use or furnish to its inmates any oleomargarine or imitation butter, as the same is defined in section 2444. 1931

Sec. 708c. Military records of parents of county or state wards. The board of managers of each county home and the commissioner of welfare shall keep a separate index showing the military service record of the parent or parents of children committed to such home or to the custody of said Commissioner. 1933

Sec. 1896. Detention homes. Towns are authorized to provide or maintain detention homes for children of such persons accused of crime as in the opinion of the judge or prosecutor are in need of reformative rather than punitive treatment. 1918, S. 1855 See Sec. 1859

Sec. 1897 as amended by Sec. 594e. Commitment papers. Uniform forms of commitment papers or mittimus shall be used by all authorities throughout the state in the commitment by them of minors to county homes or humane or reformatory institutions. Such forms shall be prepared by the attorney general, printed at the expense of the state and furnished by the commissioner of welfare. In such forms, there shall be stated the following particulars in regard to the minor committed thereby: Name, age or date of birth as exactly as can be determined, and the town or city and state in which born; name, nationality and religious preference of the parents so far as known. The age thus ascertained shall be taken as the true age of such minor with reference to the term of commitment. The authority committing any minor shall forthwith send a certified copy of the mittimus to the commissioner of welfare. The provisions of this section shall not affect those of section 1830. 1918, S. 1777, 1877 1921, C. 356, S. 8 1930 1937, S. 382d

Sec. 1901. Costs on commitments to schools or county homes. The authority committing any boy to the Connecticut School for Boys, or committing any child to the home for uncared-for and neglected children in any county, or committing any girl to Long Lane School, shall transmit a certified copy of the items of the costs on the complaint to the clerk of the superior court for the county in which the trial or hearing was had, within thirty days after the trial or hearing, and such costs shall be taxed and paid as costs are taxed and paid in criminal cases coming to the superior court from an inferior court. 1918, S. 1872

Sec. 1902 as amended by Sec. 386g. Support of minors in reformatory institutions. The authority committing any minor to any reformatory institution entitled to receive compensation from the state for the support of such minor may order the person or persons liable for the support of such minor, if, in the opinion of such authority, they are of sufficient pecuniary ability, to pay to the state treasurer, in such manner as such authority shall direct, such sum, not greater than ten dollars per week, as such authority shall order, during such time as such minor shall remain in such institution; and failure to duly pay the amount so ordered in the manner directed shall render the person or persons so failing to pay liable to the provisions of section 6265. Such authority shall indorse the substance of such order on the certified copy of the mittimus to be sent to the commissioner of welfare in accordance with the provisions of section 1897 as amended. 1918, S. 1874 1930, S. 1902 1937, S. 383d 1939, S. 595e 1943

1918, S. 1860

Sec. 1903. Religious instruction. Equal privileges shall be granted to clergymen of all religious denominations to impart religious instruction to the inmates of the Connecticut School for Boys and Long Lane School, and of each chartered or incorporated institution to which any minor may be committed by any court, and every reasonable opportunity shall be allowed such clergymen to give such inmates, belonging to their respective denominations, religious and moral instruction; and the trustees or governing officers of each of such institutions shall prescribe reasonable times and places, not inconsistent with its proper management, when and where such instruction, which shall be open to all who may choose to attend, may be given.

1918, S. 2010

Sec. 1904. Retention of diseased prisoners. When the medical officer of, or any physician employed in, any penal or charitable institution shall report in writing to the superintendent or other officer in charge of such institution, that any inmate thereof committed thereto by any court or supported therein in whole or in part at public expense is afflicted with any venereal disease so that his discharge from such institution would be dangerous to the public health, such inmate shall, with the approval of such superintendent or other officer in charge, be detained in such institution until such medical officer or physician shall report in writing to the superintendent or officer in charge of such institution that such inmate may be discharged therefrom without danger to the public health. During detention the person so detained shall be supported in the same manner as before such detention. See Appendix (III).

1918, S. 1868

Sec. 1905. Asylums for deformed, when prohibited. No asylum, home or institution for defective, deformed or incurable persons shall be established or maintained within the limits of any town without the consent of such town, unless under express legislative authority.

1923, C. 66

Sec. 6075. Trespass on land of state institutions. Interference with inmates. Any person who shall wilfully trespass upon lands belonging to the state which are appurtenant to any state institution or any person who shall interfere with any inmate of any state institution, or who, after notice from an officer of any state institution to leave such lands, shall remain thereon, shall be fined not more than fifty dollars or imprisoned not more than three months or both. Any officer of any state institution, or such person as such officer may call upon to assist, may arrest any person violating any provision of this section and forthwith take him before some proper authority who shall, upon complaint of the proper prosecuting officer, proceed to try such person.

1918, S. 1816, 6330
1921, C. 68
1945

Sec. 6182. New statute, Sec. 1009h. Escape from certain institutions. Any person who shall aid or abet any inmate in escaping from The Connecticut State Farm for Women, Long Lane School, The Connecticut School for Boys, the Mansfield State Training School and Hospital, The Southbury Training School or any institution to which commitment may be made under the authority of section 1817, as amended by section 584e, or who shall knowingly harbor any such inmate, or aid in abducting any such inmate who has been paroled from the person or persons to whose care and service such inmate has been legally committed, shall be fined not more than five hundred dollars or imprisoned not more than three months or both. Any sheriff, deputy sheriff, constable, or officer of state or local police, and any officer or employee of any of said institutions, is authorized and directed to arrest any person who shall have escaped therefrom and return him thereto.

Sec. 342. Deaths in reformatory institutions. When any boy committed to the Connecticut School for Boys or any girls committed to Long Lane School shall die, the superintendent shall cause immediate notice thereof to be sent by mail to the registrar of births, marriages and deaths of the town from which such boy or girl was so committed. 1918, S. 331

Public Welfare Council

Sec. 1907 as amended by Sec. 598e. Public welfare council. The public welfare council shall be composed of five members, of whom three shall be men and two shall be women. During the regular sessions of the general assembly of 1941, and quadrennially thereafter, three members shall be appointed by the governor, with the advice and consent of the general assembly, and in like manner two members shall be appointed during the regular sessions of the general assembly in 1939, and quadrennially thereafter. Each such appointee shall hold office for a term of four years from the first day of July next succeeding his appointment and until his successor shall be appointed and shall have qualified. The governor may remove any of the members of said public welfare council for cause. Any vacancy shall be filled by the governor by appointment for the unexpired portion of the term. The members of the council shall receive no compensation for their services. The council shall have an office in Hartford, where its records, papers and books shall be preserved. It shall meet at least once in two months, and three members shall constitute a quorum. The council shall collect information and statistics relating to pauperism and the administration and operation of the laws relating to the poor and to state charities, and embody the same with such suggestions as it may deem best, in a report to the governor, on or before June 30, 1938, and biennially thereafter. Said council shall co-operate with and advise and assist the commissioner of welfare in carrying out his duties; shall, upon request, advise him in regard to policies; shall recommend, on its own initiative, policies and practices which shall be considered at a duly called meeting of said council, which meeting said commissioner or one of his deputies shall attend. The commissioner shall assist the council in obtaining such data and information as shall best effectuate its purposes and service. 1918, S. 1887, 1894, 1895 1919, C. 299 1921, C. 307 S. 1 1930, S. 1907 1935, S. 710c 1937, S. 385d

Sec. 1911 as amended by Sec. 713c. Duties of public welfare council. The public welfare council may inspect almshouses, homes for neglected or dependent children, asylums, hospitals and institutions for the care of support of the dependent or criminal classes; and it shall inspect all institutions in which persons are detained by compulsion, to ascertain whether their inmates are properly treated, and, except in cases of detention upon legal process, to ascertain whether any have been unjustly placed or are improperly held therein, and may examine witnesses and send for persons and papers and correct any abuses found to exist, in such manner as not to conflict with any personal, corporate or statutory rights, acting, so far as practicable, through the persons in charge of such institutions, and with a view to sustain and strengthen their rightful authority; and no measure shall be adopted without the assent of the persons so in charge, except upon the approval of the commssioner of welfare and either at a meeting of said council, at which at least four members shall be present, or by a written order, signed by a majority of the said council. The provisions of this section shall not apply to the Connecticut Institute for the Blind. See Appendix (IV). 1918, S. 1888 1930 1935 See Sec. 1914

Sec. 1911. Cited 119 C. 111.

1918, S. 1893
1930
1935

Sec. 1912 as amended by Sec. 714c. Institutions to be visited quarterly. The State Prison, the Connecticut Reformatory, the Connecticut School for Boys, the State Farm for Women, Long Lane School, the Mansfield State Training School and Hospital and the state hospitals for mental illness shall be visited as often as once in three months by at least one member of each sex of the public welfare council. No previous notice of such visit shall be given to the persons in charge of the institutions visited and, at each such visit, an opportunity shall be offered to each inmate for private conversation with some member of the public welfare council. Any communication directed to said public welfare council, or to any member thereof, by any inmate of any said institutions, shall be immediately mailed without inspection; and any inmate of any of said institutions may personally deliver to any member of said public welfare council, and any of such member may receive, any communication without interference or inspection of the person or persons in charge. The inmates of said institutions shall be informed of their rights under this section by the persons in charge, to the satisfaction of said public welfare council or any visiting member thereof.

1918, S. 1889
1930
1935

Sec. 1914 as amended by Sec. 716c. Orders; how presented. Appeals. Fees. Any orders arising from the action of the public welfare council that may be taken under the provisions of section 1911 shall be presented in writing, signed by a majority of the public welfare council, to the persons in charge of the institution concerned at the earliest date practicable. An appeal may be taken to the governor from any action of the public welfare council by the persons in charge of any such institution within twenty days after the receipt of such written order, and the governor shall grant full opportunity for a hearing on the appeal to all persons concerned in such order and appeal. Whenever such appeal shall not be made within the specified time or, if made, shall not be sustained by the governor, any person to whom such written order shall have been delivered who shall fail to comply with such recommendation, within a reasonable time thereafter, shall be fined not more than fifty dollars for each month of such failure. Jurisdiction for the imposition and collection of such fines is conferred upon any criminal court of common pleas within whose jurisdiction such person resides and, in counties where there is no criminal court of common pleas, upon the superior court. Any person summoned to appear in an investigation conducted by said public welfare council, or by the governor on appeal as provided by this section, other than officers and employees of an institution under examination, shall receive such fees and expenses as are allowed witnesses in courts. The witness fees and expenses of an investigation shall be paid by the comptroller upon presentation of an itemized account thereof, signed by the president and secretary of said public welfare council and approved by the governor.

1918, S. 1639
1930, S. 1709
1935, S. 666c
1937, S. 362d
1939

Sec. 1709 as amended by Sec. 560e. Overseers of the poor to keep records and make returns. Overseers of the poor shall keep full and accurate records of the paupers fully supported, the persons relieved and partially supported and the travellers and vagrants lodged, in whole or in part, at the expense of their respective towns, together with the amount paid them for such support and relief, and monthly, or at such other periods not less than monthly, as may be designated by the public welfare council and the commissioner of welfare, shall make reports to the commissioner of welfare of the number of such persons supported, together with the cost, in the manner and on such forms as may

be approved by said council and the commissioner of welfare. Such reports shall be public records and may be published periodically by said council and the commissioner of welfare in such form as said council and said commissioner shall direct. Note see Sec. 366g.

Sec. 599e. Powers and duties of the public welfare council. 1937, S. 384d
The public welfare council may appoint, and may remove from office, such directors, assistants and investigators as may be necessary to carry out its duties and, subject to the approval of the governor and the commissioner of finance and control, may fix their compensation and the public welfare council may delegate any of its powers and authority to any director, assistant or investigator, who shall have, within the scope of the power and authority so delegated, all the powers and authority of the council.

Sec. 1906 as amended by Sec. 596e. Homes for aged people. 1918, S. 1869
1930
1935, S. 709c
1939
Any person desiring to maintain a home in which two or more persons beyond the age of sixty years shall be cared for shall apply to the public welfare council for a certificate permitting him to maintain such home. Such application shall be upon a blank provided by said public welfare council and shall state the location of such home, the number of persons which may be cared for therein and, in the case of an institution, the purpose for which the institution is founded, the names of its chief officers and the person actually in charge, with such other information as shall be required by said public welfare council. The proprietor of such home shall file annually with said public welfare council a report stating the number of inmates received and the number removed during the year, the number and causes of deaths and the average cost of support per capita, with other such information as may be required by said public welfare council. The certificates provided for in this section shall be issued for the term of one year and may be renewed for a similar term in such manner as said public welfare council shall direct. Said public welfare council may at any time revoke any such certificate. The provisions of this section shall not apply to persons caring for relatives, institutions receiving state aid or maintained by municipalities, specially chartered institutions or charitable institutions. Any person violating any provisions of this section shall be fined not more than twenty-five dollars, and each month during which he shall fail to comply with any such provision shall constitute a separate offense.

Sec. 6294. New statute Sec. 1015h. Soliciting for philanthropic purposes. 1918, S. 6449
1930
1937, S. 360d
1941, S. 369f
1945
No person shall solicit money, services, subscriptions or any valuable thing for any alleged charitable or philanthropic cause, from other than a member of the organization for whose benefit such person is soliciting or within the county in which such person or organization is located unless such cause shall have been approved by the public welfare council. Upon application of any person in behalf of such cause, the public welfare council shall determine whether such cause is a bona fide object of charity or philanthropy and conforms to reasonable standards of efficiency and integrity, and if it shall so find, shall approve the same and issue to the authority in charge a certificate to that effect. Such certificate may be revoked at any time. Any person violating any provision of this section shall be fined not more than one hundred dollars or imprisoned not more than thirty days or both.

County Administration

1918, S 194
1930
1937, 97d

Sec. 208 as amended by Sec. 98e. Annual statement; publication. The county commissioners of each county and, in case of their neglect, any one of them, shall, on or before the first day of December, annually, file, with the clerk of the superior court in such county, and cause to be published at the expense of the county in one or more newspapers printed and of the general circulation therein, a statement of all receipts and expenses of the county during the year ending on the thirtieth day of September next preceding, and also of all amounts due to and from the county, if any, specifying the amount received from the state for board of prisoners; from the United States for board of prisoners; from earnings of prisoners; from all other sources, specifying what; total receipts; amount due from all sources, specifying from whom and for what; total amount due; amount expended for provisions, clothing, bedding, fuel, lights, medicines, medical attendance, salaries of jailers, assistants, chaplain and county commissioners; building and repairs of jails; all other expenses in detail; total expenditures; total indebtedness of the county, specifying to whom and for what and whether by bond or otherwise and the rate of interest paid. The commissioner or commissioners filing such statement with the clerk of the superior court shall make a duplicate thereof and transmit it to the tax commissioner on or before the first day of December. Forms for the statements required by said section shall be transmitted by the tax commissioner to the county commissioners of the several counties annually in the month of October, and said tax commissioner shall report a printed abstract of such statements to the general assembly at its next regular session. Each county commissioner who shall neglect to comply with the provisions of this section shall pay twenty-five dollars to the state, and shall receive no compensation for his services as such commissioner during the period of such neglect.

1937, S 15d
1939

Sec. 70 as amended by Sec. 13e. Removal of Commissioners. Whenever the governor shall be of the opinion that any officer, commissioner, deputy commissioner or county commissioner has been or is guilty of misconduct, material neglect of duty or incompetence in the conduct of his office, he shall transmit all facts and information in his possession relating thereto to the attorney general, who shall thereupon make such investigation as she shall deem proper, and shall prepare a statement in writing of the charges against such officer, commissioner, deputy commissioner or county commissioner, together with a citation, in the name of the state, commanding him to appear before the governor at a date named therein, and show cause, if any there be, why he should not be removed from office as hereinafter provided. The attorney general shall cause a copy of such statement and citation to be served, by some proper officer or indifferent person, upon such officer, commissioner, deputy commissioner or county commissioner and shall cause a copy thereof, together with a return of the service by the officer or indifferent person making the same indorsed thereon, to be filed in the office of the secretary. Such officer, commissioner, deputy commissioner or county commissioner shall have the right to appear with counsel and witnesses and be fully heard. To carry into effect the proceedings authorized by this section, the attorney general shall have power to summon witnesses, require the production of any necessary books, papers, or other documents and administer oaths to witnesses, and, upon the day named in such citation for the appearance of such officer, commissioner, deputy commissioner or county commissioner or at any adjourned date fixed by the governor, shall

appear and conduct the hearing in behalf of the state. He shall cause all oral evidence submitted at such hearing to be reported by a competent stenographer, and for such purpose may employ such stenographer at the expense of the state, and, within fifteen days after the close of any such hearing, he shall cause a certified copy of such evidence to be filed with the secretary. After a full hearing of all the evidence offered by the attorney general and by or in behalf of any such officer, commissioner, deputy commissioner or county commissioner, the governor shall make a written statement of the facts which he finds to have been proven, and shall, within a reasonable time, file a copy of such finding, duly attested by him, with the secretary; and, if the governor shall find that the evidence warrants the removal of such officer, commissioner, deputy commissioner or county commissioner from office, he shall make a written order to that effect, and shall cause a copy thereof to be left with or at the usual place of abode of such officer, commissioner, deputy commissioner or county commissioner and shall also file a copy thereof, with the secretary. Upon the filing of such copy with the secretary, the office held by such officer, commissioner, deputy commissioner or county commissioner shall become vacant, and the governor shall thereupon proceed to fill or cause to be filled such vacancy in the manner provided by law. Any witness summoned and any officer or indifferent person making service under the provisions of this section shall be allowed and paid by the state the same fees as are allowed by law in criminal prosecutions.

Sec. 209 New statute Sec. 46h. Annual jail returns to the commissioner of welfare. The sheriff of each county shall, on or before December first, annually, make and transmit to the commissioner of welfare a report concerning the jail or jails in such county, setting forth such information and in such detail as is requested by said commissioner. Blanks for such reports shall be transmitted by said commissioner to each such sheriff annually, in the month of October, and said commissioner shall submit a printed abstract of such reports to the next general assembly. 1918, S. 194 1930 1937, S. 98d 1941, S. 99e 1945

Sec. 213. County aid for hospitals. The representatives of the towns and senators resident in any county may appropriate, in the manner provided by law for making appropriations for other county expenses, specific sums in aid of any public hospital located and maintained in such county, and the amount so appropriated shall be expended in the same manner as provided by law for other county expenses. In case sufficient funds shall not be on hand or otherwise available for said purpose in addition to other county expenses, such county representatives and senators may lay a county tax therefor in the manner provided in section 1890. 1918, S. 1867

Courts of Probate

Sec. 2290. Court of Probate. Courts of probate shall receive fees as follows: For granting administration, receiving and probating a will, or appointing a conservator or guardian, one dollar; making out a letter of administration or taking a bond, twenty-five cents, except that for taking a bond on an order of sale of the real estate of a minor, the fee shall be fifty cents; for recording a 1918, S. 2265 1923, C. 61 1925, C. 99 1929, C. 284 S. 10

Sec. 213. Cited 127 C. 57.

Sec. 2290. Certain charges made by a probate judge held unlawful; how objection should be made. 21 C. 550.

probate bond, twenty-five cents; receiving the inventory required by section 4911, for each thousand dollars thereof not exceeding ten thousand dollars, thirty cents; for each thousand dollars thereof exceeding ten thousand dollars, and not exceeding twenty thousand dollars, twenty cents; for each thousand dollars thereof exceeding twenty thousand dollars, fifteen cents; for hearing an application for the appointment of a trustee of an insolvent debtor, two dollars; for each continuance of such hearing twenty-five cents; for hearing an application of such debtor for benefits, two dollars and fifty cents; for hearing in regard to estate of such debtor in settlement in another state, one dollar and fifty cents; for granting him a certificate of discharge, one dollar; for issuing a summons to require attendance of an insolvent debtor, or witness for examination, fifty cents; for holding an examination, two dollars; for each page of deposition taken thereon, twenty-five cents; for adjudicating upon the account of an administrator, executor, guardian or trustee, one dollar and twenty-five cents; for order to an executor, administrator or trustee, to make payment to creditors out of any estate, or adjusting and settling advancement to children, two dollars; for a citation, when legally required, allowing an appeal from the doings of commissioners, or a motion to review the same, or notice to a corporation of a devise or bequest to it, fifty cents; for hearing and judgment on return of a citation, when adverse parties appear, two dollars; when there is no such appearance, one dollar; for appointment of arbitrators, and a hearing upon and acceptance of their report, the same fees as are paid in the superior court; for proceedings to commit and commitment to Long Lane School or to the Connecticut School for Boys, the same fees as justices of the peace; for appointing a physician to investigate the facts in case of paupers or indigent persons claimed to be mentally ill, fifty cents, and a like amount for accepting the return of such physician; for hearing and judgment on an application to remove any person to any state hospital for mental illness, or to an inebriate asylum, one dollar; for hearing, accepting and approving or rejecting any agreement for adoption, one dollar and fifty cents; for each order, appointment, decree or judgment, or approving each return or report not otherwise provided for, seventy-five cents; for each filing and indorsement of any paper or document, twenty cents; for recording and for copies of records, seventy-five cents a page; for accepting and recording annual reports, seventy-five cents a page; travel to hold court in an adjoining district, going and returning, ten cents a mile; for making a certificate of distribution, the same as is allowed for copies of probate records; for each order, appointment, decree or judgment, or approval of inventory, or report required by the laws relating to the succession tax, one dollar. The probate fees shall not exceed the sum of ten dollars for all proceedings in the settlement of the estate of any deceased person, the gross amount of which estate, wherever situated, when finally determined, shall not exceed the sum of one thousand dollars. Note See Sec. 654g.

, 2290
931

Sec. 895c. Courts of probate. The fee allowed for receiving an inventory under the provisions of section 2290 shall be charged but once in connection with any estate.

CHILD WELFARE

Sec. 1913 as amended by Sec. 715c. Authorization of agents. The commissioner of welfare, or any agent appointed by him, may visit family homes in which dependent and neglected children under the charge of temporary homes may be placed, recommend suitable family homes to the county boards and perform such further duties in connection with such dependent and neglected children as said commissioner may prescribe. 1918, S. 1892 1921, C. 307, S. 3 1930 1935

Sec. 1915 New Statute Sec. 392h. Boarding homes for children; license. No orphan asylum, children's home or similar institution, and no person, or group of persons, whether incorporated for the purpose or not, shall care for or board a child without a license obtained from the commissioner of welfare except when such child has been placed with such institution, group or person, by an agency, holding a license from said commissioner. The manager or managers of each such institution and each such person or group of persons shall file with said commissioner an application for a license, in such form as he shall furnish, stating the location where it is proposed to care for such child, the number of children whom it is planned to accommodate at that time and, in the case of an institution, the purpose of the institution and the names of its chief officers and of the actual superintendent in charge of the children therein. The commissioner of welfare is authorized to fix the maximum number of children to be boarded and cared for in any such home or institution or by any such person or group of persons. Each orphan asylum, children's home or similar institution, and each person or group of persons included within the provisions of this section shall file, annually, with said commissioner, a report stating the number of children received and removed during the year, the number of deaths and the causes of death, the average cost of support per capita and such other data as he may prescribe. 1918, S. 1796, 1798, 1799 1911, C. 383 S. 1, 3 1925, C. 62 1929, C. 149 S. 1 1930 1933 1935, S. 717c 1945

Sec. 1916 as amended by Sec. 388g. Investigation. Revocation of license. The comissioner of welfare shall investigate the conditions stated in each application made under the provisions of section 1915 and, if the conditions shall be found to be satisfactory, shall issue the license as promptly as possible, without expense to the licensee. Before issuing any such license, the commissioner of welfare shall give to the selectmen of the town wherein such licensee resides ten days' notice in writing that the issuance of such license is proposed, but such notice shall not be required in case of intention to issue such license to any corporation incorporated for the purpose of caring for such children. Each license so issued shall state the number of children who may be cared for and shall be in force for twelve months from the date of issue, and shall be renewed for the ensuing twelve months provided conditions continue to be satisfactory to the commissioner of welfare. Said commissioner of welfare shall also provide such periodical inspections as shall safeguard the well being, health and morality of all such children. Any license issued under this section may be revoked by said commissioner of welfare for cause, and after due notice given to the institution, person or group of persons concerned and after opportunity for a hearing thereon. An appeal may be taken to the governor from any action of said commissioner of welfare under the provisions of this section. 1918, S. 1797 1921, C. 307, S. 3, C. 383, S. 2 1929, C. 149, S. 2 1930 1935, 720c 1943

1933, 1935, S. 718c 1937, S. 387d

Sec. 718c as amended by Sec. 601e. Placement of child from another state. Any person or public or private agency, corporation or organization, before bringing or sending any child into the state for the purpose of placing or caring for him in any home or institution, either free or at board, except in any educational institution, shall make application to the commissioner of welfare, giving the name, the age and a personal description of such child, the name and address of the person or institution with whom the child is to be placed, and such other information as may be required by said commissioner. Such person or institution shall be a person or institution duly licensed by said commissioner under the provisions of section 717c and of section 1916. When the permission of said commissioner has been received for the placement of such child, the person, agency, corporation or organization, before placing him, shall undertake: (1) That, if prior to becoming eighteen years of age or being adopted, such child shall have become a public charge or shall have been committed to a correctional institution, such person, agency, corporation or organization will, within thirty days after notice requesting his removal shall have been given by said commissioner, remove such child from the state; (2) that such person, agency, corporation or organization will report annually, and oftener if requested so to do by said commissioner, as to the location and condition of the child so long as he shall remain in the state prior to his becoming eighteen years of age or prior to his legal adoption, and shall execute and deliver to said commissioner a bond payable to the state, and in the penal sum of one thousand dollars, with surety or security acceptable to the attorney general, conditioned on the due performance of such undertaking. The provisions of this section shall not apply in the case of any relative brought into the state by a resident of the state, but such resident shall report to said commissioner his name and address, the name of the child and the name and address of the person, or public agency, organization, corporation or institution from which the child was received and such other information as said commissioner shall require, provided any person, agency, corporation or organization which may accept more than one child during any one calendar year shall be required, at the discretion of the commissioner, to execute and file with said commissioner a surety bond payable to the state in a penal sum to be fixed by said commissioner and the attorney general.

1935

Sec. 719c. Penalty. Any person or corporation who shall violate any provision of section 717c or 718c shall be fined not more than one hundred dollars.

1918, S. 1896 1921, C. 307, S. 2, 3 1930 1935

Sec. 1917 as amended by Sec. 721c. Supervision over the welfare of children. The commissioner of *** welfare shall have general supervision over the welfare of children who require the care, protection or discipline of the state. *** He may be a member of boards of management of county homes. *** He shall compile and publish such regulations as he may prescribe or as may be prescribed by the public welfare council with his approval. The commissioner shall correct abuses in institutions or agencies for dependent, defective or delinquent, neglected and uncared-for children in the manner prescribed by the provisions of sections 713c and 1914, and the penalties imposed by the provisions of said section 1914 shall apply to any person failing to comply with any order issued by authority of the provisions of this chapter.

1921, C. 307, S. 4 1930 1935

Sec. 1918 as amended by Sec. 722c. Custodians of children to file reports. Placing of children in foster homes. The institutions having custody of such children and the agencies and per-

sons licensed by authority of this chapter shall make such reports to said commissioner at such reasonable times and in such form and covering such data as said commissioner may direct. The commissioner and his deputy and agents shall supervise the placing of such children in foster homes. Said commissioner may place children not having been properly placed, and shall co-operate with the county commissioners in the respective counties in the placing of children in homes suitable for their care and protection. In placing any child in a foster home, said commissioner shall, if practicable, select a home of like religious faith to that of the parent or parents of such child, if such faith be known or be ascertainable by the exercise of reasonable care.

Sec. 1922 as amended by Sec. 725c and 604e. Placing children under six years of age in homes. (a) Any parent or guardian of any child under six, any selectman, any probation officer, the Connecticut Humane Society, Long Lane School, the Connecticut State Farm for Women or the commissioner of welfare, or any child-caring institution or agency approved by said commissioner, may apply under the provisions of section 1857 to any juvenile court having jurisdiction, for the commitment of any neglected or uncared-for child under the age of six years; and such court shall proceed under the provisions of section 1857 and shall give notice of the hearing upon such petition to such parent or guardian or to the selectmen of the town liable for the support of such child and to the commissioner of welfare at least fourteen days before the date of such hearing; and, at such hearing, any such parent or guardian, such selectmen and said commissioner or his agent shall have the right to be heard as to such proposed commitment. If it shall appear from the petition that such child is in such condition that his welfare requires that his custody be immediately assumed, the court shall arrange with some suitable agency or person for his temporary care and custody pending court action. The expense for such temporary care and custody shall be paid by the town in which such child is at the time residing, and such town shall be reimbursed therefor by the town found liable for his support, or by the state if no town be found so liable. (b) When a petition shall be filed in any court for the commitment of a child under six years of age, the commissioner of welfare shall make a thorough investigation of the case and shall cause to be made a thorough physical and mental examination of the child. The expenses incurred in making such physical and mental examination shall be paid as costs of commitment are paid under the provisions of section 1876. (c) Upon finding and adjudging that any child under six years of age is uncared-for or neglected, the court shall commit him to the commissioner of welfare, and such commissioner shall be the guardian of such child until he shall have reached the age of fourteen years or until another guardian shall have been legally appointed. Said commissioner may place such child in a suitable foster home or in the home of a person related by blood to such child or in a licensed child-caring institution or in the care and custody of any accredited child-caring agency approved by him. Following such commitment, the same proceedings shall be followed as provided in section 1876 concerning costs for commitment of a child to a county home. (d) In placing such child, said commissioner shall, if possible, select a home, agency, institution or person of like religious faith to that of a parent of such child, if such faith be known or may be ascertained by reasonable inquiry, provided such home conforms to the standards of said commissioner. (e) Said commissioner shall, each month, certify to the comptroller the amount of expense incurred for the care and maintenance of such child and to whom the same is pay-

1921, C 307
S. 8
1923, C 144
1930
1933
1935

able, and the comptroller shall make payment thereof. Said commissioner shall, on or before the first day of each January, April, July and October, notify the selectmen of the town where such child has legal settlement, if any, of its share of such expense, computed on the basis of three-tenths of the total expense, and such town shall, on or before the fifteenth day of each of said months, reimburse the state to the extent of such share. Upon failure of any town so to reimburse the state, within thirty days from the date of the mailing of notice of the amount due, the same may be collected, with interest thereon, in an action by the attorney general in any court in Hartford county having jurisdiction of such amount. The state shall assume responsibility for the care and maintenance of any child for whom no legal settlement has been determined until it shall be determined, when the accumulated costs of such care and maintenance pending such determination, except for temporary care and maintenance of a dependent child as provided in subsection (g), shall be allocated to the state and to the town where such child has legal settlement on the basis of three-tenths of such costs to such town and the remainder to the state. Said commissioner shall include in his biennial budget a sum estimated to be sufficient to carry out the provisions of this section. (f) Any court by which a child has been committed pursuant to the provisions of this section may, upon the application of parent or other relative of such child, the selectmen or any original petitioner, or a licensed child-caring agency or institution approved by said commissioner or said commissioner, and while such child is under the guardianship of said commissioner, upon hearing, after reasonable notice to said commissioner, and, in case said commissioner made the application, after reasonable notice to such parent, relative, original petitioner, selectmen or child-caring agency or institution, upon finding that the cause for commitment no longer exists, revoke such commitment, and thereupon such guardianship and all control of said commissioner over such child shall terminate. After such child has reached the age of six years, such court may commit him to a county temporary home. No hearing shall be held for such reopening and termination of commitment or transfer of commitment more often than once in six months, except upon the application of said commissioner. (g) The selectmen of any town may place, for a period not to exceed thirty days, unless extended with the consent of the commissioner of welfare, any dependent, defective, delinquent, neglected or uncared-for child under sixteen in any licensed boarding home, agency or child-caring institution, or with a person related by blood to such child; but such selectmen shall, if possible, select a home, agency, institution or person of like religious faith to that of a parent of such child, if such faith be known or may be ascertained by reasonable inquiry, provided such home conforms to the standards of said commissioner. Such selectmen shall forthwith notify the commissioner of welfare on forms prescribed by him of the beginning and the termination of such placement. Said commissioner may make an investigation of the case of such child and may cause to be made a thorough physical and mental examination, and shall, after approving the bill for the expense thereof, forward the same to the town in which such child resides, which town shall pay such expense, but shall be reimbursed by the state for seven-tenths thereof. Said commissioner may supervise the care and placement of such child, and may make orders for his welfare. If said commissioner shall find that the care given such child during the first thirty days meets his approval, the state shall reimburse such town for not more than seven-tenths of the cost of such care, except that, in the case of a dependent

child, the town shall pay the entire cost. The commissioner of welfare shall certify to the comptroller each month the sum due any town under the provisions of this subsection. See Appendix (IV) and (V).

Sec. 604e. Section 725c of the 1935 supplement to the general statutes shall continue in force and effect, notwithstanding the passage of an act amending said act, which amending act has been repealed. 1939

Sec. 430h. Commitment of children to child-caring institutions. When, because of the mental or physical condition of any child committed to the commissioner of welfare under the provisions of section 725c, or because of a behavior problem, such child cannot be satisfactorily cared for in a foster home, said commissioner may bring a petition to the court which committed such child for the commitment of such child to a suitable child-caring institution, and, upon being satisfied that such commitment is in the best interest of such child, such court shall commit such child to such an institution. 1945

Sec. 1923 as amended by Sec. 726c. Adoption of committed children. Any child committed by authority of the provisions of this chapter or by any court authorized to commit dependent, defective or delinquent, neglected and uncared-for children may be given in adoption by the commissioner of welfare, upon approval of the public welfare council, in conformity with the provisions of chapter 251. See Appendix (VI) and (VII). 1921, C. 307, S. 9; 1930; 1935

Sec. 1924. Ill treatment of children. Whenever it shall be found that any child is not properly treated in any such family home or that any such home is not a suitable one and is of such character as to jeopardize the welfare of any child so placed therein, the commissioner shall report the facts in the case to the county board which placed the child in such family home, and such board, upon being satisfied of the ill treatment of the child or the unsuitableness of the home, shall remove the child from such home and take such further action as shall be necessary to secure the welfare of the child. 1918, S. 1891

Sec. 727c as amended by Sec. 602e. Registration of physically handicapped children. Each institution supported in whole or in part by the state shall report to the state department of health, on a form prescribed by said deparment, the name and address of each child under twenty-one years of age who is physically handicapped for whom application is made for admission, whether such child be admitted or rejected. 1933, S. 727c; 1937, S. 383d

Sec. 1854 as amended by Sec. 692c. Definitions. The terms used in this chapter shall, in its interpretation and in the interpretation of other statutes, be defined as follows: "Child" shall mean any person under sixteen years of age and any person between the ages of sixteen and eighteen years who has been transferred from the jurisdiction of a town, city, police or borough court to the jurisdiction of any juvenile court; "dependent child" shall mean a child whose home is a suitable one for it, save for conditions arising from the poverty of its parents, parent, guardian or other person maintaining such home, but who, because of such poverty, is in need of care; "uncared-for child" shall mean a child who is homeless or whose home is for any reason other than poverty unsuitable and who can not lawfully support himself save by a resort to occupations that either are illegal in themselves or would subject him to conditions prejudicial to his normal development, physically, mentally or normally; "neglected child" shall 1921, C. 336, S. 1; 1930; 1935

mean a child who (a) being unable to lawfully and properly support himself has been abandoned, or (b) who is being denied proper care and attention, physically, mentally or morally, or (c) is being permitted to live under the influence of evil associations of home or other conditions, prejudicial to his well-being; "defective child" shall mean one who, by reason of a deficiency or defect of intelligence, which has existed from birth or from early age, requires, or will require, for his protection or for the protection of others, special care, supervision and control; "delinquent child" shall mean a child who, (a) violates any law of the state or local ordinance, or (b) is habitually truant, incorrigible or knowingly or wilfully associates with vicious, criminal or immoral persons, or (c) uses vile, indecent or profane language, or is guilty of indecent or immoral conduct, or (d) is growing up in idleness, ignorance or vice, or (e) absents himself from home without just cause or the consent of his parents or wanders about at night-time without any lawful purpose or occupation, or (f) knowingly and wilfully engages in any practice, employment or occupation prejudicial to his normal development, physically, mentally or morally

Juvenile Court

1941

Sec. 280f. Establishment. Districts. There is established the "Juvenile Court for the State of Connecticut" which shall have and exercise the exclusive original jurisdiction of a juvenile court as provided by law within this state, except in matters of guardianship and adoption and all matters affecting the property rights of any child over which the probate court has jurisdiction. The court shall have a proper seal, and shall be governed by the procedure provided for juvenile courts by this chapter. Said court shall be held in each of the three districts herein established as follows: First district: The counties of Fairfield and Litchfield. Second district: The counties of New Haven, Middlesex and New London. Third district: The counties of Hartford, Tolland and Windham.

1941
1943, S. 382g
1945

Sec. 281f. New Statue Sec. 426h. Appointment and term of judges. There shall be three judges of said juvenile court, each of whom shall be an attorney at law, shall devote his entire time to his duties as such judge, shall be a resident of the district within which he is to serve and shall receive an annual salary to be paid by the state of seventy-five hundred dollars. Each judge shall hold the sessions of said court within the district for which he is appointed, at such town or towns therein as the business of said court may require. Upon the absence, disability or disqualification of the judge of any district, the presiding judge may designate the judge of any other district to act, and when so designated he shall have all the powers and duties of the judge appointed for the district in which he is so acting. The presiding judge may, also, after consultation with the board of judges, assign the judge of one district to sit in certain towns in an adjoining district when pressure of cases in such adjoining district shall make such action advisable. Each judge of the juvenile court shall be appointed upon nomination by the governor in the same manner as superior court judges are appointed and for a

Chap. 95. For purpose and scope of act see 99 C. 75. Superior court's finding that minor tried before it was over sixteen cannot be attacked in habeas corpus proceding. 100 C. 503

Ch. 95. See note to Sec. 1856.

term of six years. Such judges shall have all the powers necessary to carry out the provisions of this chapter. One of such judges shall be designated by the governor to be presiding judge of the court. Each judge shall fix the time and place of hearings within the district from which he is appointed, provided accommodations for holding such hearings shall, so far as possible, be secured without expense to the state.

Sec. 282f. Meetings of judges. The judges of said court shall meet annually, at a time and place designated by the presiding judge, who shall preside at the meeting; and a majority of the entire number of said judges shall constitute a quorum for the transaction of business. The presiding judge may call a special meeting of the judges at such time and place as he may designate, and, when convened, they may transact any business that might be done at the annual meeting. The judges, at any meeting, may make orders and rules to carry into effect the provisions of this chapter, including suitable forms of procedure thereunder. 1941

Sec. 283f. Appointment of staff. The judges of the court shall jointly appoint a clerk of the court and other necessary office personnel and each judge shall appoint a director of probation for his district and such probation officers and clerical assistants as he shall deem necessary, subject to the provisions of section 284f. Any of these appointees may be discharged by the appointing authority for cause and after hearing. The salaries of each of such officials shall be fixed by the judges, which salaries, together with the other expenses of the court, when approved by the judges, shall be paid by the state in the same manner as are the salaries and expenses in the judicial department. The court shall keep records, which, including the records of the probation officers, shall be open for inspection only to persons having a proper interest therein and upon order of the court. The records of the juvenile courts established by chapter 336 of the public acts of 1921, by chapter 260 of the public acts of 1927, and by section 697c shall be records of said court and shall be subject to the terms of this chapter. 1941

Sec. 284f. Qualifications of probation staff. All juvenile probation personnel, including the directors of juvenile probation and all other necessary supervisory personnel, shall be appointed from a list of persons certified by the state personnel department as being qualified for such appointment, and said department shall, from time to time, conduct examinations to establish such lists. All persons employed as full-time juvenile probation officers in service in this state on January 1, 1941, shall be appointed without examination in the first instance juvenile probation officers of this court, at not less than the salaries they were receiving on said date, and they shall retain full rights in any pension system or retirement fund in which they are participating or to which they have contributed. Probation officers shall make such investigations and reports as the court shall direct or the law require. They shall execute the orders of the court, and for that purpose shall have the authority of a deputy sheriff in each county of the state. They shall preserve a record of all cases investigated or coming under their care, and shall keep informed concerning the conduct and condition of each person under supervision and report thereon to the court as it may direct. 1941

Sec. 32h and 427h. Juvenile probation officers to be included in state retirement system. Payment of retirement salaries of juvenile probation officers. Any municipality shall adjust with the 1945

provisions of section 284f in such manner that such former employee shall receive from each such source of employment a proportionate amount of the whole retirement salary which would have been due him for his term of service had the entire term of service been rendered to such municipality or to the state, as the case may be.

1943

Sec. 383g. Retirement of probation officers. All persons employed as full time juvenile probation officers in this state on January 1, 1941 who when appointed juvenile probation officers of the Juvenile Court for the State of Connecticut became members of the state employees' retirement system and who have made the required contributions thereto, shall be entitled to the benefits of the provisions of Chapter 8a and in determining the amount of such benefits credit shall be given for the length of service as a juvenile probation officer prior to appointment as such probation officer for the Juvenile Court for the State of Connecticut.

S. 1865
1935
1941

Sec. 285f. Petitions and Appeals. All petitions concerning delinquent children shall be heard within the county where the delinquency is alleged to have occurred or where the child resides, in the discretion of the court. All other petitions shall be heard within the county where the child resided at the time of the filing of the petition. Any person aggrieved by any judgment or order of the court may, within ten days thereafter, appeal to the superior court for the county within which the petition was heard, as hereinafter provided. Pending such appeal, the court may cause the child to be detained in some suitable place as the court may direct, or may release the child in the care of a parent, probation officer or other suitable person, and may require the appellant to enter into a bond or recognizance to the state, with surety or security conditioned that the child shall appear before the appellate court and abide by the order and judgment. All appeals shall be heard at sessions of the superior court, to be held solely for the purpose of disposing of juvenile cases and such other matters concerning children or family relations as may be determined by the judges of the superior court. Such sessions shall be held throughout each year by a judge or judges designated at the annual meeting of the judges of the superior court, provided the chief justice may designate any other judge to hold any session or hear any matter whenever he may deem it necessary to do so. The time and place of holding such sessions of the superior court shall be fixed from time to time by the presiding judge and upon such notice to the clerk of the court of the county wherein such session is to be held as such presiding judge shall deem reasonable. The presiding judge shall, at such time and in such manner as he may deem proper, make assignments of the cases to be heard at such sessions, provided no case shall be heard except upon at least one week's notice to the parties and to the commissioner of welfare. The judge holding any such session may, in his discretion, order an investigation to be made by any qualified probation officer or county investigator for the purpose of ascertaining the facts with reference to any matter pending before him and may appoint the public defender to appear for any unrepresented defendant or party in interest, the expenses of which shall be taxed and paid as other court costs. In the determination of any such case, a written report of any such investigation shall be admissable as evidence, subject to the right of any party to require that the person making such report shall appear in person as a witness and subject himself to cross-examination. In any proceeding brought for the purpose of securing the commitment of a

child under the age of sixteen years, the court and the judge having jurisdiction of such matter shall have all the powers of juvenile courts and the judges thereof and the same procedure shall be followed as provided by statute for such courts, except as otherwise provided herein.

Sec. 286f. Disposition of cases pending January 1, 1942. On and after January 1, 1942, no county, city, police, town or borough court, justice of the peace or probate judge within the state, or the juvenile courts for Windham and Fairfield counties, shall exercise any jurisdiction over proceedings concerning dependent, uncared-for, neglected and delinquent children within the state and all such cases then pending shall be transferred to the juvenile court for the state, together with the custody of the records pertaining thereto. 1941

Sec. 287f. Constitutionality. If any section, subdivision, or clause of this chapter shall be held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the chapter. 1941

Sec. 1856. New Statute Sec. 423h. Jurisdiction. The juvenile court shall exercise exclusive original jurisdiction over all proceedings concerning uncared-for, neglected, dependent and delinquent children within its territorial limits, except in matters of guardianship and adoption and all other matters affecting property rights of any child over which the probate court has jurisdiction. Said court shall also have authority to make and enforce, within its territorial limits, such orders directed to parents, guardians, custodians or other adult persons, owing some legal duty to a child therein, as it shall deem necessary or appropriate to secure the welfare, protection, proper care and suitable support of a child subject to its jurisdiction. If any order for the payment of money shall be issued by the juvenile court the collection of such money shall be made by said court. Upon the certification of a judge of the juvenile court, the state shall pay quarterly to the town of settlement of the child in whose behalf payments have been made three-tenths of all moneys collected in behalf of such child, unless such child is in the custody of any county, in which case one-half of such money shall be paid to such county. See Appendix (VIII). 1918, S. 1856 1919, C. 110 1921, C. 336. S. 3 1941, C.274f 1943, S.380g 1945

Sec. 693c. Jurisdiction. The juvenile court shall have the jurisdiction and powers of disposition and binding over of a town, city, borough or police court in the case of any person transferred to the juvenile court under the provisions of section 1854 as amended. 1935

Sec. 1857 as amended by Sec. 694c. Petitions for action. The parent or guardian of any child or any selectman or other public official charged by law with the care of the poor, any prosecuting or probation officer, the Connecticut Humane Society or the commissioner of welfare, having information that a child is uncared for, neglected, dependent or delinquent may file with the juvenile court in the district where such child is resident, a verified petition stating such facts as bringing the child within the jurisdiction of the court, giving sufficient information to locate and identify him and praying for appropriate action by the court in conformity with the provisions of this chapter. Upon the filing of a petition, 1921, C. 336. S. 4, 5, 6 1930 1935

Sec. 1855. Provisions of section 1856 to be read in conjunction with the provisions of this section. 115 C. 598.

Sec. 1856. Proceedings against any child within the class of delinquents as defined in the Juvenile Court Act must, in the first instance at least, be taken in the Juvenile Court and until that court has acted, the Superior Court can have no jurisdiction. 115 C. 598.

the judge may, either forwith or after investigation, cause summons, signed by him or by the prosecuting attorney of such court, to be issued, requiring the child and the parent or parents, guardian or other persons having control of the child, to appear in court at a time and place named, to show cause why such child should not be dealt with according to the provisions of this chapter. Whenever it shall appear to the judge that orders addressed to an adult, as set forth in section 1856, are necessary for the welfare of such child, similar summons shall be issued and served upon such adult if he is not already in court. Service of summons shall be made by the delivery of a true and attested copy thereof to the person summoned. If, after reasonable effort, personal service shall not have been made, such substitute service, by publication or otherwise, as the judge may order, shall be sufficient. Service may be made by any officer authorized by law to serve process, or by a probation officer or indifferent person, and the court may allow suitable expenses and a reasonable fee therefor.

921, C. 336, S. 7

Sec. 1858. Custody pending disposition. If it shall appear from the petition that the child is in such condition that his welfare requires that his custody be immediately assumed, the authority issuing the summons may indorse upon the summons a direction that an officer, or other person serving such summons, shall at once take the child into his custody. Such child, may, by the judge, be admitted to bail, pending final disposition, or may be released in the custody of the probation officer, his parent or some other suitable person. When not so released, the child may be detained pending the hearing and disposition of the case under and by such order of commitment as the court or judge thereof shall direct. In no case shall a child be confined in a jail or lock-up, or in any place where adults are or may be confined, except in the case of a mother with a nursing infant; nor shall any child at any time be held in solitary confinement. When a girl shall be held in custody, she shall, as far as possible, be in charge of a woman attendant.

921, C. 336, S. 8
See Sec. 1896

Sec. 1859. Temporary detention places. Unless the local authorities shall have provided suitable and permanent accommodations for the detention of children, the judge of each juvenile court shall arrange with some agency or person within its jurisdiction for the use of suitable accommodations to serve as a temporary detention place as may be required. The court may allow such agency or person reasonable compensation for the expenses and services incident to such detention. The judge may employ any other suitable method of arrangement for detention. Each child while detained as herein provided shall be under the orders, direction and supervision of the court.

921, C. 336, S. 9
1945

Sec. 1860. New statute, Sec. 424h. Arrest without warrant restricted. Bail. Nothing in this chapter shall be construed as preventing the arrest of a child, with or without a warrant, as may be provided by law, or as preventing the issuance of warrants by judges as provided by law, except that no child shall be taken into custody on such process except on apprehension in the act, or on speedy information, or in other cases when the use of such process shall appear imperative. Whenever a child shall be brought before a judge of any city, police, borough or town court, such judge shall immediately transfer such case to the juvenile court having jurisdiction over it and direct that the child be forthwith delivered to such juvenile court or into the custody of the probation or other officer of such court. Such judge may admit such child to bail or release him in the custody of his parent or parents, his guardian or some other suitable person to ap-

pear before the juvenile court when ordered. In case detention shall become necessary or desirable, the same shall be in the manner prescribed by this chapter. Upon the arrest of any child by an officer, such officer shall immediately turn him over to the probation or other officer of the juvenile court, if such course be practicable. If it be not practicable, such child shall be cared for in the manner provided in section 1858.

Sec. 1861. New statute, Sec. 425h. Investigation prior to juvenile court hearings. Prior to the hearing of the case of any child, investigation shall be made of the facts as herein specified. Such investigation shall consist of an examination of the parentage and surroundings of the child, his age, habits and history, and shall include also an inquiry into the home conditions, habits and character of his parents or guardians. In cases of alleged delinquent children, such investigation shall be made by the probation officer. In such cases the court shall also, if practicable, cause the child to be examined as to his mentality by a competent and experienced mental examiner, who shall make a report of his findings. Prior to the hearing in the case of any child, if such child shall attend school, there shall be obtained from the school which he attends a report concerning him. The school officials shall furnish such report upon the request of the court or its probation officer. The court shall, when it is considered necessary, cause a complete physical examination to be made of the child by a competent physician. Until such time as such investigations shall have been completed and the results thereof placed before the judge, no disposition of the child's case shall be made. 1921, C.336, S. 10 1945

Sec. 1862. Hearing. Judges of juvenile courts shall, during hearings before them, exclude from the room in which they are held any person whose presence is, in the court's opinion, not necessary. Such hearing shall not be held in a room regularly used for the transaction of criminal business. For the purpose of such hearings, the court shall have authority to summon witnesses and compel their attendance. The conversations of the judge with a child, whose case is before court, shall be privileged. 1921, C 336, S. 11

Sec. 1863. Commitment. Reports. The court, if it shall find that the child needs the care, discipline or protection of the state, may so adjudge and commit the child to any public or private institution or agency which is permitted by law to care for children, commit him to the care and custody of some suitable person, order the child to remain in his own home subject to the supervision of the probation officer or withhold or suspend judgment. Whenever a child brought before the court shall be found to be mentally defective, the court may order his commitment to an institution for mental defectives or defective delinquents, or may order him to be placed on vocational probation if he be over fourteen years of age and evidence satisfactory to such court shall establish the fact that he may properly be employed for part or full time at some useful occupation and that such employment would be more favorable to his welfare than commitment to an institution or continuance in school; and the probation officer shall supervise such employment. Whenever a juvenile court shall commit a child to any institution, public or private, there shall be delivered with the mittimus a copy of the results of the investigations made as required by section 1861. The court may, at any time, require from the person, institution or agency in whose care a child has been placed such report as to such child and his treatment as it may direct. See Appendix (IX). 1921, C. 336, S. 12,17,20

See Sec. 1881

1921, C 336, S. 16
1930
1931, S 695c
1943

Sec. 1864 as amended by Sec. 381g. Commitments to be indeterminate. Reopening. Commitments by the juvenile court shall be for an indeterminate time but shall terminate when the child reaches the age of twenty-one, except in the case of mental defectives or defective delinquents. Commitments may be reopened and terminated at any time by such court, provided the institution to which the child is committed shall be given notice of such proposed reopening and reasonable opportunity to present its views thereon. *** No costs shall be taxed in the proceedings held under such application. The parents or guardians of such child may apply, not more than twice in any calendar year, for such reopening and termination of commitment. The provisions of section 1865 with regard to appeals shall apply to any person or institution aggrieved by any order of a juvenile court made under the provisions of this section, except that no bond shall be required nor costs taxed on such appeal.

1921, C 336, S. 15

Sec. 1867. Religious faith. Service of commitment process. In committing a child to a custodial agency, other than its natural guardians, the court shall, as far as practicable, select as such agency some person of like faith to that of the parent or parents of the child or some agency or institution governed by persons of such faith, unless such agency or institution is a state or municipal agency or institution. In the order of commital the court shall designate some indifferent person to serve the commitment process, and such indifferent person may be accompanied by any suitable relative or friend of any such child. In the event of the person designated to serve such commitment process shall be an officer, such officer shall not serve such commitment process while dressed in the uniform of any police officer or sheriff, and no such officer shall, while serving any such commitment process, wear plainly displayed any police officer's or sheriff's badge.

1921, C 336, S 18

Sec. 1868. Child not to be prosecuted. No child shall be prosecuted for an offense before a juvenile court, nor shall the adjudication of such court that a child is delinquent in any case be deemed a conviction of crime.

1921, C 336, S 19

Sec. 1869. Proceedings inadmissable as evidence in criminal proceedings. The disposition of any child under the provisions of this chapter, evidence given in such cases, except evidence of crime which, if committed by a person of sufficient age, would be punishable by imprisonment in the State Prison, and all orders therein, shall be inadmissible as evidence in any criminal proceedings against such child.

1921, C 336, S 21

Sec. 1870. Enforcement of orders. In the enforcement of its orders, the court is authorized to issue process for the arrest of any persons, to compel attendance of witnesses and to punish for contempt by a fine not exceeding one hundred dollars or imprisonment not exceeding six months.

County Homes for Neglected and Uncared-for Children

1918, S. 1766
1921, C 381, S. 1.
1930
1933

Sec. 1873 as amended by Sec. 698c. Location. There shall be provided in each county one or more temporary homes for the better protection of neglected and uncared-for children between the ages of six and eighteen years. No such home shall be located within one-half mile of any penal or pauper institution, and no pauper or convict shall be permitted to live or labor therein. No

such home shall be used as a permanent residence for any child, but for his temporary care and protection for so long a time only as shall be absolutely necessary for the placing of the child in a well-selected family home.

Sec. 699c. Jurisdiction of judge of probate. In any town in this state in which there is no city, police, town or borough court, the judge of probate, having jurisdiction therein, shall have the same powers and duties in relation to any child who may be brought before him as an uncared-for or neglected child, as are conferred and imposed upon the officials of city, police, town or borough court as officials of juvenile courts under the provisions of chapters 95 and 96 of section 725c. 1935

Sec. 1874 as amended by Sec. 384g. Management. In each county the county commissioners, with one member of the public welfare council or the commissioner of welfare and one representative of the state department of health, shall constitute a board for the location, organization, management and general supervision of such temporary home or homes in such county. Said board may, with the consent of its managers, use orphan asylums in operation in any county as temporary homes for that county; and the county commissioners may lease, purchase, hold, sell and convey real and personal estate for the purposes of such temporary home or homes; and the board may, when desirable for economical reasons and when consistent with the welfare of the children to be provided for, establish such temporary homes in desirable private families; provided, in no instance, shall such home be under the same care or management as an almshouse, workhouse or penal institution. Said board may appoint such superintendents or agents and make such rules, regulations and by-laws as may be necessary or convenient for the order and government of the temporary home and its officers. (See Sec. 13e). See Appendix (X). 1918, S. 1768 1921, C. 381 S. 5 1923, C. 215 1930 1935, S 700c 1943

Sec. 1875 as amended by Sec. 701c. Powers of managers. Earnings of minors. In each county the board for the management of temporary homes for uncared-for and neglected children shall meet at least once in each three months for the purpose of attending to its duties, and notice of such meeting shall be sent to each member by mail at least three days prior thereto by the chairman of said board. At the meeting of said board in each county in the fall months of each year, one or more designated representatives of the commissioner of welfare shall meet with said board for the purpose of suggesting such provisions, changes and additions as they may think desirable in the temporary home and assisting said board in the selection of family homes for the children in the temporary home and advising said board of the results of their visits to children in family homes. *** Said board in each county shall have full guardianship and control of each child committed to the temporary home for such county until such child shall have reached the age of eighteen years, or such guardianship and control shall have been legally transferred, or another guardian appointed by the probate court with the consent of said board, and said board in each county shall have the power to place any child committed to the temporary home of the county at such employment and cause the child to be instructed in such branches of useful knowledge as may be suited to the age and capacity of 1918, S. 1769 1921, C 381 S. 1 1930 1935

Sec. 1875. Parent cannot dictate as to religious instruction of child committed to county home; habeas corpus denied. 61 C. 263.

Sec. 1875. The provisions of chapter 96 entrust the care and custody of children committed to a county home to the board of management of such home and constitute such board their legal guardian to the exclusion of any custody or control on the part of the parents. 110 C. 467, 468.

the child for such term of years, not extending beyond the child's seventeenth year, as will inure to the benefit of the child. Parents whose children have been supported by a temporary home for three years shall not be entitled to their earnings or services after they have become eighteen years of age.

1918, S. 1782
1919, C. 338
1921, C. 210, C. 381, S. 2
1923, C. 184, S. 1
1939

Sec. 1876 as amended by Sec. 591e. Commitment. Any juvenile court having jurisdiction and, in cases in which no juvenile court shall have jurisdiction, the probate court for the district in which there may be any uncared-for or neglected child, may, upon finding and adjudging that any child is uncared-for or neglected, commit such child to any temporary home, where he may remain until he shall be eighteen years of age, unless sooner discharged by the board of management of the temporary home in the county in which such child shall have been committed. Said board may place any child in a private family, whether he shall be cared for free or for compensation, or in any chartered orphans' asylum or children's home in this state where in such child shall be accepted for the period, or any portion thereof, for which such child shall have been committed to such temporary home. The authority committing any such child shall, within thirty days after such commitment, transmit a certified copy of the items of the costs of such proceedings to the clerk of the superior court for the county in which the trial or hearing was had, and such costs shall be paid as costs are paid in criminal cases coming to the superior court from an inferior court. The comptroller shall, each month, upon the certification of the commissioner of welfare, pay to said board, for each child committed to and residing in such temporary home, three dollars and fifty cents per week, and, for each child not residing in such temporary home, the actual expense to said board not to exceed three dollars and fifty cents per week. Said board shall file with the commissioner of welfare a monthly report of the number of such children under its guardianship residing in such temporary home and the number not residing in such temporary home. See Appendix (XI).

1918, S. 1783
1919, C. 133, S. 1, 2
1921, C. 381, S. 3, 4
1923, C. 184, S. 2
1930
1935

Sec. 1877 as amended by Sec. 702c. Notice of hearing. Waiver. Notice of the hearing upon a petition filed in any court for the commitment of a child to a temporary home shall be given by mail to the commissioners of the county in which such home is located and to the commissioner of welfare at Hartford, at least seven days before the date of such hearing, and, at such hearing, such county commissioners and said commissioner of welfare shall have the right to be heard as to such proposed commitment. If the court to which such petition is brought shall find that the circumstances of the child require his immediate commitment to such county temporary home, opportunity shall be given to the county commissioners and to the commissioner of welfare, before such commitment, to consent to a waiver of the notice of such hearing.

1921 C. 265

Sec. 1878. Physical and mental examinations before commitment. Whenever a petition shall be filed in any court for the commitment of a child to a county temporary home in accordance with the provisions of section 1876, the court to which such petition is brought shall, before the hearing shall be held on such petition, require a thorough physical examination to be made of the child concerned in such petition by a duly qualified physician appointed by the court for the purpose of determining whether or

Sec. 1876. Board not bound to permit withdrawal of child under any circumstances. 61 C. 268.

Sec. 1876. See note to Sec. 1875. Cited 115 C. 596.

Sec. 1877. See note to Sec. 1875.

Sec. 591e. Cited 127 C. 58

not such child is a fit subject for commitment to a county temporary home. In all cases where the court to which such petition shall be brought is situated within fifteen miles of a duly recognized clinic in mental hygiene or institution for the treatment of mental diseases or professional office of a responsible alienist or expert in psychiatry, such court shall, before such hearing shall be held, require a mental examination to be made of the child concerned in such petition by such responsible alienist or by an expert connected with such clinic or institution, who shall be appointed by the court for this purpose, provided, in case the town shall be more than fifteen miles from a duly recognized clinic, the examination shall be made by a reputable physician. Each child subject to such examination shall be accompanied to and from the place of examination by a responsible adult person appointed for the purpose by the court and, in the case of a female child, such responsible adult person shall be a female. The person appointed to make any examination required by this section shall file with the court a written report of such examination at or before the time of hearing upon the petition for commitment. The expense incurred in making such examination shall be paid as costs of commitment are paid under the provisions of section 1876. In all cases where the commitment of a child to a county temporary home shall be carried into effect, the report of examination shall accompany the mittimus under which the child was committed.

Sec. 1879 as amended by Sec. 703c. Children who shall not be committed. No child, mentally ill, feeble-minded, blind, so crippled or so deaf as to require special care, tubercular or suffering from any incurable or contagious disease, shall be committed to any county temporary home or allowed to remain therein. If, in the opinion of the board of management of any such home, acting under the advice of the physician employed by it, any child admitted thereto shall come within any of the classes enumerated herein, the chairman of the board shall notify the selectmen of the town from which such child was committed, and such selectmen shall cause such child to be removed immediately from such temporary home. A letter deposited in the post office, postage paid, stating the name of the child and that he is mentally ill, feeble-minded, blind, so crippled or so deaf as to require special care, tubercular or suffering from an incurable or contagious disease, as the case may be, signed by the chairman of such board and directed to such selectmen, shall be sufficient evidence that notice was given at the time that such letter would in the usual course of the mails reach such selectmen; and actual notice in writing sent in any other mode shall be sufficient. This section shall not apply to children who contract any curable contagious disease in the home. If the selectmen of any town shall fail, for ten days after such notice has been given, to remove such child, the chairman may, in the name of the county wherein such home is located, institute against such selectmen an action of mandamus to compel such selectmen to remove immediately such child from such home; and such selectmen shall forfeit to such county three dollars for each day of failure after the ten days specified, to be recovered by such county in any proper civil action. 1918, S. 1767 1930 1933 See Sec. 2628

Sec. 1880 as amended by Sec. 704c. Transfer of minors in institutions. The court of probate for the district in which any county temporary home or reformatory institution for minors is situated may, upon application to it therefor by the board of management of such home or institution or by the commissioner of welfare, after inquiry and upon finding that any inmate of such home or institution will be benefited by being transferred to the 1919 C. 301 1930 1935

Mansfield State Training School and Hospital or other suitable institution and is a proper subject to be received therein, order such inmate discharged from such county home or reformatory institution and committed to said training school or other institution, to be kept and supported for such length of time as such court may deem proper. On approval of such order by the governor, such inmate shall be thereupon discharged from such county home or other institution and, by a person selected by the superintendent of such home or institution, shall be delivered to said Mansfield State Training School and Hospital or other institution, there to be retained and supported in the manner provided in sections 1779 and 1780. The provisions of sections 1706 and 1707, in regard to the examination and removal of inmates of almshouses who may be found to be mentally ill or feeble-minded, are made applicable in like manner to children in the county temporary homes, except that the duties specified in said sections for selectmen or similar boards of any town shall, in the case of any such child, devolve upon the board of management of such county temporary home and that the proceedings for commitment of any such child shall be brought to the probate court for the district in which such county temporary home is located.

See Sec. 1783

1913, S. 1773

Sec. 1881. Court may revoke commitment. Any court, by which a child has been committed pursuant to the provisions of this chapter, may, upon the application of a relative of such child and while such child is in the guardianship of the board of management of a temporary home, upon due hearing, after reasonable notice to such board served upon its chairman or secretary, upon finding that the cause for commitment no longer exists, revoke its order of commitment, and thereupon such guardianship and all control of such board over such child shall terminate.

See Sec. 1750

1913, S. 1770, 1771

Sec. 1882. Children not to be in almshouse; penalty. Expense of support. Overseers of the poor shall not place or retain children between the ages of four and eighteen years in almshouses after they have been notified by such board that a temporary home in their county is open for such children; and, upon such notice, they shall cause all such children in almshouses to be removed to such home; provided, if one of the parents of such children, who is a person of good moral character, shall be committed to the almshouse with them, and may there care for them, such children may remain with such parent in the almshouse for a period of not more than thirty days in any one year. The necessary expenses of supporting such children in temporary homes or in family homes, until they shall reach the age of twelve years for girls and fourteen for boys, shall be paid by the town committing them to the temporary home, such town having a right of action upon this statute for reimbursement from the town to which such children, if paupers, would be legally chargeable, at not less than one dollar and fifty cents nor more than two dollars weekly per child; but nothing herein shall require payment for the support of children in private families, when, in the opinion of such board, they may be placed by it in such families to its satisfaction, consistently with the best interests of the child and with the provisions and purposes of this chapter, without such payment. Overseers of the poor may place children in the temporary home for their county upon such terms, as to the time of their stay therein, and may be agreed upon by them with such board. Such board may, in its discretion, permit children to be cared for in the temporary home at the expense of private persons. The placing of children with

Sec. 1881. See note to Sec. 1875.

the lowest auction bidder is prohibited. Any selectman, overseer of the poor or town, placing or retaining any child between the ages of four and eighteen years in an almshouse, in violation of the provisions of this section, shall be fined fifty dollars; and each month of such violation shall constitute a separate offense.

Sec. 1883. Placing in county homes of children under four. 1918, S. 1772
Children less than four years of age may be placed by overseers of the poor in any county temporary home if its board of management shall consent to receive them, and the expense of their support shall be paid in accordance with the provisions of section 1882.

Sec. 1884 as amended by Sec. 592e. Contracts for care of children in foster homes. 1918, S. 1780; 1930, S. 1884; 1933 705c; 1935, S.; 1937, S. 380d
When any child from a county temporary home shall be placed by the board of management of such home in a private family, the responsible person receiving such child shall execute in triplicate an agreement with such board on a form to be furnished by the comptroller to the commissioner of welfare and to be furnished by said commissioner to such responsible person. One copy of such agreement shall be retained by such person, one kept on file at the county temporary home and the third kept on file by said commissioner. The compensation to be paid for the care of each such child shall not be less than that customarily paid by the commissioner of welfare for the care in private families of children committed to his guardianship under the provisions of section 725c unless the responsible person receiving such child shall consent in such agreement to accept compensation at a lesser rate, or to receive such child without compensation.

Sec. 1885. Return of children to county homes. 1918, S. 1781
When any child has been placed in a family home by the board of management of any county home, any person, upon giving bond for costs, may appeal to the superior court for the county in which such family home is located, or to any judge thereof, and, if such court or judge shall find that it is inadvisable that the child shall remain in such family home, such court or judge shall order such child to be returned to the county home. At any time during the pendency of such appeal, such court or judge may order such child to be returned to the county home until the appeal shall be finally determined. Notice of the pendency of such appeal shall be served in such manner and upon such persons as the court or judge may direct.

Sec. 1886 as amended by Sec. 385g. Commitments to other institutions. Transfers and releases. 1918, S. 1793; 1943
The authorities empowered by section 1876 to commit children to temporary homes may commit such children to any suitable persons or institutions consenting thereto, upon being satisfied, after due inquiry made, that such commitments will be for the welfare and best interest of such children; but the town from which any child is committed under the provisions of this section, or the town to which such child, if a pauper, would be legally chargeable, or the state or the county, shall not be liable for the expense of the support of such child by the person or institution, other than the temporary home, to which such child shall be committed. Such authorities or the board of managers of any temporary home may transfer any child from such home to the keeping of any suitable person or institution, upon the petition of the parents or guardian therefor, upon such authority or board being satisfied, after due inquiry had, that such transfer will be for the welfare and best interest of such

See Sec 1898, 1899

Sec. 1886. Cited 115 C. 596.

child; and may release and discharge any child committed to such home, or committed or transferred to any suitable person or institution, from such home, or from such person or institution, and from the authority of such board, person or institution, and deliver such child to the keeping of its parents or guardian, upon petition of such parents or guardian to the authority that made the commitment or transfer, or to such board, when it shall be shown upon inquiry had that the causes for which the commitment was made no longer exist; but the town which committed any child to the temporary home, or the town to which such child, if a pauper would be legally chargeable, shall not be liable for the expense of supporting such child after such transfer; and any child who has been or shall be transferred to a private institution shall cease to be a charge to the state or county. Such petition shall be made within a year of the date of the commitment of the child to the county home. The words "authority" and "authorities" shall not be construed to include justices of the peace. All children committed or transferred in accordance with this section shall be subject to the authority and supervision of the board of managers of the temporary home of the county in which the commitment or transfer shall take place and such board of managers, or their agents, may visit such children in the several places of commitment provided herein, in the same manner and with the same authority as is provided in section 1874 in reference to the visitation of selected families, and such managers may, for good and sufficient cause, remove temporarily to the temporary home of such county any child so committed or transferred until such cause shall have terminated; provided, if such cause be not terminated within thirty days, then such managers may find a private family home for such child in accordance with the provisions of this chapter.

1918, S. 1784
1785, 1786
1930, S. 1887
1937, S. 381d

Sec. 1887 as amended by Sec. 593e. Commitment to reform school. Transfer. Guardianship. No uncared-for or neglected child between the ages of four and eighteen years shall be sentenced or committed to the Connecticut School for Boys or Long Lane School unless such child shall be found to be delinquent as defined in section 1854, or the court or magistrate making the commitment shall be of opinion that the child's previous circumstances and life have been such as to make it desirable that such child should be placed under the restraint, care and guardianship of one of said institutions. The directors of either of said institutions may, at their discretion, transfer any such child committed to such institution to the county home of the county from which such child was committed, after reasonable notice to the board of managers thereof. The superintendent of such institution shall immediately notify the commissioner of welfare of such transfer, and the expense of supporting the child in such home shall be paid by the state as provided in the case of children committed to temporary homes by process of law. Such transfer shall not divest the institution from which the child is transferred of its guardianship and control over such child unless the same be relinquished by the board of directors of such institutions.

1918, S. 1794

Sec. 1888. Religious instruction. Equal privileges shall be granted to clergymen and parents of all religious denominations to impart religious instruction to the inmates of such temporary homes, and to all children under the charge of boards of managers of temporary homes at their several places of commitment or residence, and every reasonable opportunity shall be allowed such clergymen to give to such children as belong to their respective

denominations, and to such parents to give to their children, such religious and moral instruction as they may desire; and such boards shall prescribe reasonable times and places when and where such instruction may be given.

Sec. 1889. Parents to contribute to support. Whenever either parent of any child, whether such child is born of lawful wedlock or not, who has been committed by a court to any county temporary home, shall be of sufficient pecuniary ability to contribute to the support of such child, such parent shall contribute such weekly sum for the support of such child as may be agreed upon between such parent and the board of management of such home. Whenever such board shall be unable to make a satisfactory agreement with any parent as above provided, or whenever any parent shall refuse to make any such payment and such board shall be of the opinion that such parent, in either case, is in receipt of such income as to enable him or her to make such payment, such board shall make complaint to the prosecuting officer of the town where such parent resides. Such prosecuting officer shall thereupon proceed against such parent as provided in section 6265, and such parent shall be subject to the penalties and provisions of said section. 1918, S 1795 See Secs 1747, 1895

Sec. 1890. County tax for support of homes. To provide for the expenses of temporary homes in excess of the sum received under section 1876, 1882 and 1889, the board of management shall present annually to the county representatives and senators an estimate of the expense of such homes for the succeeding year, and such representatives and senators may, and, in case sufficient funds are not already in the treasury for such maintenance, shall, at their biennial meeting, or, in years in which no biennial meeting is held, at any special meeting duly called in such year, lay a county tax for the maintenance of such home or homes in their county. 1918, S 1787

Sec. 1891. Extra school expense of town or district. The necessary extra expense incurred by any town or school district in providing school accommodations and instruction for the inmates of any temporary homes located therein shall be paid by the county as provided in section 1890. The board of managers of temporary homes in any county shall be the judge of what are such necessary extra expenses, and no such expense shall be allowed or collected of such county unless it shall have been incurred with the approval of such board, nor until the account of the same shall have been audited and approved by such board. 1918, S 1788, 1790

Sec. 1892 as amended by Sec. 706c. Reimbursement by counties for school expenses. Whenever the town shall wholly maintain the school at the county home in any county or the school or schools which the children from such county home attend, the total cost of the education of such children shall be paid by the county commissioners to such town, upon certification of the amount thereof by the board of education of such town. See Appendix (XII.) 1918, S. 1789 1930 1931

Sec. 1893. School books and apparatus. The state board of education, or a committee appointed by said board, may provide books and apparatus to be used at or in any of the public schools in charge of said board at county temporary homes, at an expense not exceeding in any year the amount hereinafter authorized; and the state treasurer, upon the order of the secretary of the state board of education, shall annually pay said state board of educa- 1918, S. 1791

Sec. 1889. Cited 127 C. 58.
Sec. 1890. Cited 127 C. 57.

tion ten dollars for each public school within such temporary homes in charge of said board, for which such books or apparatus are provided, and, if the number of scholars in any such school shall exceed one hundred, the treasurer shall pay to said board ten dollars for each one hundred or fractional part of one hundred scholars in actual attendance at such school.

1918, S. 1792

Sec. 1894. Penalty for removing child from county home. Any person who shall remove or cause to be removed from a temporary home, or from a private home provided by the board of management of temporary homes, any child who has been committed to a temporary home by a town or by any court, shall be fined not less than ten dollars nor more than thirty dollars or imprisoned not more than twenty days or be both fined and imprisoned; provided children so committed may be withdrawn upon the authority of such board or of the selectmen so committing them.

1918, S. 1806
1921, C. 356 S. 2
1923, C. 174
1930
1935

Sec. 1895 as amended by Sec. 709c. Commitment under sixteen restricted. Apportionment of cost of support of children in institutions. No court or justice of the peace shall commit any child under sixteen years of age to any jail, almshouse or workhouse. Any court which shall commit a child to an institution or custodial agency shall determine the pecuniary ability of either or both parents to contribute to the support of such child and shall order such parent or parents to pay such sum for such support as shall be consistent with such pecuniary ability. If such commitment shall be to an institution or custodial agency not supported in whole or in part by the state, such order shall direct such parent or parents to pay to such institution the amount specified in such order, provided such amount shall not exceed the actual cost of the support of such child. Such institution or custodial agency may enforce such order by civil suit or by instituting contempt proceedings in the court issuing such order. If such commitment shall be to a county temporary home or to an institution or custodial agency supported in whole or in part by the state, such order shall direct such parent or parents to pay to the state an amount not exceeding the cost to the state of the support of such child in such institution, and the attorney general shall enforce such order by civil suit or by contempt proceedings. If such commitment shall be to an institution or custodial agency supported in whole or in part by the state, except as county temporary home, such court shall certify such commitment to the commissioner of welfare. The town wherein any such child shall be found by said commissioner of welfare to have a settlement, if the same shall be determinable, shall, upon notification by said commissioner of welfare, pay, quarterly, to the state the difference between the amount, if any, which such court shall have ordered the parent or parents of such child to pay and the amount expended by the state for the support of such child, and, if such court shall have ordered no payment by such parent or parents, the whole amount thus expended for such support. Such payments shall be due as from the time of such commitment. An appeal shall lie from the finding of said commissioner of welfare to the superior court for the county where such town is situated. The attorney general shall enforce the collection of such amount from such town by civil suit. The provisions of this section shall not apply to any commitment to the Newington Home for Crippled Children.

See Secs. 1889, 1902

1937, S. 100d

Sec. 103e. Additional appropriation by counties. When the county commissioners in any county shall deem it necessary that an additional appropriation should be made for any item of coun-

Sec. 1895. Cited 115 C. 596

ty expenditure for the fiscal year then current, they shall call a meeting of the representatives to the general assembly from all the towns in the county and the senators resident in the county who may make such additional appropriation or appropriations as they deem proper without imposing a tax upon such towns in the manner provided in section 212, provided the necessary funds to meet such additional appropriation or appropriations shall be made available by a transfer from anticipated surpluses from other items contained in the current fiscal year's budget adopted for the same department of county government for which such additional appropriation or appropriations are required. The county commissioners in any county may, at any time, transfer not to exceed one hundred dollars from any one item to any other item of the budget for the current fiscal year within the same department of county government, provided the total amount of such transfers within any one department in any one fiscal year shall not exceed five hundred dollars

Guardian and Ward

Sec. 4793. Residence of ward defined. For the purposes of this chapter the residence of a minor shall mean his actual residence and not that imputed to him by the residence of his parents or guardian. 1918, S. 4860

Sec. 4794 as amended by Sec. 647g. Father and mother joint guardians; removal. The father and mother of every legitimate child under twenty-one years of age are constituted joint guardians of the person of such minor, and the powers, rights and duties of the father and the mother in regard to such minor shall 1918, S. 4861 1943

Chap. 250. Probate court has full jurisdiction of persons and estates of minors; jurisdiction of superior court limited to appeals from probate, proceedings incidental to divorce actions, and writs of habeas corpus. 97 C. 442, 99 C. 156.

Sec. 4794. Guardian appointed while minor is not of age to choose is guardian till majority of ward, unless removed. K. 287. Mother natural guardian on decease of father. 2 R. 323. Judge not liable in civil actions for appointment of bankrupt as guardian. 1 D. 329. Inequitable contract between guardian and ward will be set aside. 5 D. 549. Guardian not bound to support ward out of his own estate. 2 C. 388. Appointment showing jurisdictional fact of residence cannot be attacked collaterally. 2 C. 388; 75 C. 308. Guardian's authority coterminous with life of ward. 4 C. 189. Different kinds of guardians. 6 C. 500. Guardian liable on his bond for negligence in not collecting or securing note of nonresident debtor of his ward. 30 C. 508. Father was guardian of minor both as to person and property till arrival at majority, prior to 1901. 31 C. 553. Mother's right as natural guardian inferior to that of guardian appointed by court. 33 C. 328. Guardian used in statutes means guardian appointed by court. 33 C. 327. Father cannot transfer his right to custody to mother. 34 C. 263. Court has no discretion in matter of appointment if person chosen is suitable. 38 C. 304. History of statutes relating to guardian. 58 C. 319. Guardian has no power to bind estate of ward by contract. 53C. 119. Guardian primarily responsible to minor rather than court, and a suit on bond proper remedy for neglect of that duty. 43 C. 76. Father has no rights in estate of son. 76 C. 430. Powers and duties of guardian of estate. 77 C. 379. Guardian has authority only, not title to property; ordinarily represents ward in action. 76 C. 431; 93C. 37; 111 U. S. 586. Right of guardian to compromise claim for personal injury. 84 C. 594. Notice as to appointment under former law considered. 67 C. 356. Settlement of account of guardian by his executor; liability where ward's funds mingled with his own. 69 C. 259. What constitutes residence of child. 69 C. 301. False representation of guardian cannot affect estate. 72 C. 167. Liabilities where administrator of estate is also guardian of distributees. 75 C. 410; 80 C. 111. State where land is situated has sole right to appoint guardian of estate of minor as to it. 178 U. S. 186 Statute applies even though parents are living apart. 99 C. 157; and even though custody during most of year is awarded to mother. **Ib.d.** Guardian may not be appointed over illegitimate child until removal of mother under this section. 100 C. 206. Abandonment of minor son by father emancipates son; effect on dependency of mother under compensation act. 105 C. 420

be equal. Upon the death of either father or mother, the surviving parent of such child shall become the sole guardian of the person of such child. The mother of each illegitimate child under twenty-one years of age shall be the sole guardian of the person of such child. Upon the application of a selectman of the town in which any such minor resides or of a relative of any such minor, praying for the removal as guardian of one or both of the parents of such child, the court of probate for the district in which such child resides shall set a time and place for a hearing on such application and shall order notice thereof to be given by registered mail or otherwise to the parents of such child at least five days before the time set for such hearing, unless a written waiver of such notice, signed by the parent to be affected thereby, shall be lodged in such court or unless the court shall find that such minor has no parent in the United States. If it shall appear that the location or address of a parent of such child is unknown, notice to him or her may be given by publication in some newspaper having a circulation in the last known place of abode of such parent at least five days before the time of such hearing. If such court shall find that notice to the parent or parents has been duly given as directed in such order, or that a waiver has been filed as hereinbefore provided, and that either or both are unfit persons to have charge of such child or have abandoned or neglected to make suitable provisions for the support or education of such child or are not residents of the United States or, if the judge, after an investigation made at his request by the commissioner of welfare or by any institution or agency accredited by said commissioner, shall find, after such notice and public hearing, that the removal of the parent or parents as guardians is for the best interests of the child, it may remove as guardian such parent or parents. If of two parents only, one shall be removed, the other parent shall thereupon become sole guardian of the person of such minor. If both parents or the sole living parent shall be so removed, such court shall thereupon appoint a guardian of the person of such minor subject to the provisions of section 4797. Any guardian of the person of a minor so appointed may be removed by the court of probate making such appointment and another person appointed guardian of the person if the court of probate making such appointment shall, after like notice to such guardian, and hearing, find such removal and the appointment of a new guardian to be for the best interests of such child. This section shall not affect the order or decree of any court made prior to August 1, 1917, as to the custody of any minor. See Appendix (XIII).

1918, S.4862 **Sec. 4795. Order as to custody of minor pending application for removal of guardian. Enforcement.** When application shall have been made for the removal of one or both parents as guardians or of any other guardian of the person of such child the court of probate to which such proceeding is brought may, if it deem it necessary, order the custody of such child to be given to some proper person pending the determination of the matter, and may, if either or both parents be removed as guardians or if any other guardian of the person be removed, enforce its decree, awarding the custody of the child to the person or persons entitled thereto, by a warrant directed to the proper officer commanding him to take possession of the child and to deliver such child into the care and custody of the person entitled thereto. Such officer shall make return to such court of its doings thereunder.

1918, S. 4863 **Sec. 4796. Appointment of guardian for minor; rights same as of sole surviving parent.** When any child under the age of fourteen years has no parent or guardian of his person, the court

of probate for the district in which such child resides may, on its own motion, appoint a guardian of the person of such child. Such court, in appointing a guardian of the person of any minor, shall take of such guardian a bond, but such bond may be without surety. Such guardian shall have the same right to the custody and control of the child which the sole surviving parent of a child has.

Sec. 4797. Right of minor fourteen years old to choose guardian. If any minor child fourteen years of age or over shall have no parent or guardian of his person, the court of probate for the district in which the minor resides may notify him to appear and choose some person to be guardian of his person, and, if such court shall approve of the person so chosen, it shall appoint him, but, if it shall disapprove of such person or if such person shall fail to accept and qualify, the minor may choose some other person to be approved and appointed as aforesaid; but, if such minor shall fail to make a choice of a person approved of by such court who will accept and qualify, such court may appoint such person as it may deem advisable. 1918, S. 4864

Sec. 4798. Appointment of guardian for minor's estate. When a minor is entitled to estate the court of probate for the district in which such minor resides may assign a time and place for a hearing on the appointment of a guardian of the estate of such minor, and shall cause the same notice thereof to be given to the parents or guardian of the person of such minor as provided in section 4794 as to hearings on the removal of the parent, subject to the waiver of notice as provided therein, and shall also notify such minor to be present at the same time and place if he is fourteen years of age or over; and, if such court shall find that there is no guardian of the estate of such minor, it may appoint one of the parents or the guardian of the person of such minor to be guardian of his estate. If neither parent nor such guardian of the person of such minor will accept such appointment, or if the parents or guardian of the person of such child are not proper persons to act as guardian of his estate, then such court may appoint any proper person chosen by such minor if such minor be fourteen years of age or over; but, if such minor shall neglect to make choice or fail to choose a proper person or be not of sufficient age, the court of probate shall appoint some proper person, who, as guardian of the estate of such minor, shall have charge of all estate of such minor, whether acquired thereafter or theretofore, but shall have no control over his person; and, when a female infant having a guardian shall marry and shall own or thereafter acquire property, the guardianship as to such property shall continue during her minority. 1918, S. 4865 See Sec. 1808

Sec. 4799. Only guardian of estate to receive or use minor's property. No parent of minor child, guardian of the person of a child or husband of a minor wife, shall receive or use any property belonging to such child or wife to an amount exceeding one hundred dollars in value unless appointed guardian of the estate of such minor. 1918, S. 4866

Sec. 4797. If person chosen is suitable, court must approve. 75 C. 311. So where minor chooses bank. 94 C. 652. Cited 97 C. 443. See note to Sec. 4794.

Sec. 4798. Must be appointment of guardian of estate if minor is to be paid a sum in excess of one hundred dollars. 99 C. 179. Cited 94 C. 649; 100 C. 55.

Sec. 4799. Delivery of money to mother is not payment to child. 99 C. 179 Subject to guardianship of estate, a minor child is entitled to immediate possession of full amount recovered as damages for personal injuries. 100 C. 55 This statute does not apply to an award for the support of a minor child. 121 C. 504.

1918, S 4867

Sec. 4800. Bond to be filed by guardian. No appointment of a guardian of the estate of any minor shall take effect until the person appointed shall have filed in the court of probate making the appointment a bond as provided in section 4787.

1918 S 4868

Sec. 4801. Guardian of non-resident minor. When a minor residing without this state and having no guardian within this state shall own estate in this state, the court of probate for the district in which such estate or any part thereof may be may appoint a guardian of such minor who shall have the charge and management of such estate.

1918 S 4869

Sec. 4802. Testamentary guardian. The surviving parent of any minor may by will appoint a guardian of such minor and the person so appointed shall, on giving a probate bond, have the same power over the person and estate of such minor as guardians appointed by the court of probate; but no such appointments shall supersede the appointment of a guardian theretofore made by the court of probate having jurisdiction. The ward of a testamentary guardian, however, may when of legal age for choosing a guardian, choose a guardian of his person to supersede such testamentary guardian; and the guardian so chosen when approved by the court of probate of the district wherein such ward resides, upon giving a sufficient bond, shall be the guardian of the person of such ward; but, when the custody of any child shall have been committed to either parent by the superior court, such parent alone shall have the power of appointing a guardian as aforesaid, who shall receive such trust subject to the control of the court of probate as hereinbefore specified and also subject to the provisions and restrictions to which such trust was subject in the hands of such parent at the time of his decease.

1918 S 4872

Sec. 4803. Lease of minor's real estate. The guardian of any minor may lease real estate of his ward upon such terms and for such length of time, not extending beyond the minority of the ward, as the probate court of the district in this state by which such guardian was appointed, upon application and due hearing, after public notice, shall approve.

1918, S. 4873

Sec. 4804. Inventory of ward's property. Each guardian appointed by a court of probate shall return to the court appointing or approving him, within two months after the acceptance by such guardian of such trust, an inventory under oath of all the property belonging to his ward, if any there be. Any guardian who shall not return such inventory to such court within said time shall be fined not more than twenty dollars.

1918, S. 4874
1919, C. 47
1921, C. 125
1939, S
1286e
1941

Sec. 4805 as amended by Sec. 1286e and Sec. 688f. Guardian ad litem for minor in probate proceedings. When, in any proceeding before a court of probate or the superior court, whether acting upon an appeal from probate or otherwise, it shall appear that one or more persons as individuals, or as members of a designated class or otherwise, have or may have an interest in such proceeding, and that one or more of such persons are minors, incompetent persons or persons undetermined or unborn at the time of such proceeding, *** the court may appoint a guardian ad litem for any of such minors, incompetent, undetermined or unborn persons, or

Sec. 4801. Guardian appointed under this section has no title to ward's property. 76 C. 430.

Sec. 4805. Only appointed in behalf of infant respondents. 30 C. 285 Recognition of attorney representing infants as guardian ad litem held, under facts, equivalent to appointment. 93 C. 595. Court refused to decide whether decision would be binding upon persons subsequently born who might claim an interest in the estate. 129 C., 391, 392.

may appoint one guardian ad litem for two or more of such minors, incompetent, undetermined or unborn persons. Any order or decree passed or action taken in any such proceeding shall affect all such minors, incompetent persons or persons thereafter born or determined for whom such guardian ad litem has been appointed, in the same manner as if they had been of full age and present in court after legal notice at the time of such action or the passing of such order or decree. Any appointment of a guardian ad litem may be made with or without notice, and, if it shall appear to such court that it is for the best interests of a minor having a parent or guardian to have as guardian ad litem some person other than such parent or guardian, such court may appoint some disinterested person to be such guardian ad litem. When such appointment shall be made in connection with the settlement of the estate of a deceased person, or the settlement of the account of a trustee or other fiduciary, the person so appointed shall be authorized to represent such minor, incompetent, undetermined or unborn person in all proceedings for the settlement of such estate or such account and subsequent accounts of such trustee or other fiduciary, or until his appointment be terminated by death, resignation or removal. Such guardian may be removed by the court which appointed him, without notice, whenever it shall appear to such court to be for the best interests of the ward or wards of such guardian. Any guardian at litem appointed under the provisions of this section may be allowed reasonable compensation by the court appointing him and the same shall be paid as a part of the expenses of administration.

Sec. 4806. Removal by foreign guardian of ward's personal property. When any personal property in the state belongs to any person residing out of this state who has a guardian, trustee or other legal custodian of his estate, appointed under the laws of the place of his residence, such custodian may apply in writing to the court of probate of the district in which the principal part of such estate in this state is, alleging that he has been legally appointed such custodian in the jurisdiction in which the person to whom such estate belongs resides, that he has given bond and security therein in an amount double the value of all the estate of such person and that a removal of such estate from this state will not conflict with the terms and limitations by which such person owns it. If such court shall find such allegations true and the applicant shall file in such court for record an exemplified copy of the record of the court by which he was appointed, it may, after a hearing upon such application, upon such notice as it shall order to the person having such in his custody and to the owner thereof, and after due proof that all known debts chargeable against it and contracted in this state have been paid or satisfied, appoint such applicant to be guardian, conservator or trustee of such estate without further bond and authorize the person having such estate in his custody to deliver it to such applicant, who may demand, sue for and recover it and remove it from this state.

1918, S. 4875

See Sec. 1838

Sec. 4807. Removal by foreign guardian of proceeds of sale of ward's real estate. Whenever any foreign guardian of a minor also residing without this state has obtained or shall obtain an order to sell real estate of such minor situated in this state from any court of probate in this state having jurisdiction and has given bond as provided by law, the court of probate granting such order may, upon like application and like proceedings had as specified in sec-

1918, S. 4876

Sec. 4806. Scope of section; property may be turned over without order of court; liability of surety on bond in this state where property not turned over. 75 C. 414; 80 C. 119.

tion 4806, authorize such foreign guardian to receive the proceeds of the sale of such real estate sold under order and to remove same out of this state into the jurisdiction in which such guardian and his ward reside, and such guardian and his surety shall thereupon be discharged from all liability on such bond.

1918, S. 4877

Sec. 4808. Guardians of minors may make partition. When any minors shall be interested in any real estate as tenant in common with any other person, the guardian of such minor may, by instrument in writing execute as deeds of land are executed, make partition of such real estate with the other parties in interest, but no such deed of partition shall be valid until the approval of the court of probate having jurisdiction of the estate of such minor shall be indorsed thereon; and such deed of partition and the approval of the court of probate shall be recorded in the land records of the town or towns where the land is situated.

ADOPTION

1943

Sec. 648g. Adoption of children. Any of the following-named persons may, by written agreement, subject to the approval of the court of probate as hereinafter provided, give in adoption to any person any minor child in his charge as herein set forth: The parents or guardian of the person of any child under the age of fourteen years, the selectmen of any town having in charge any foundling child, the mother of any child born out of wedlock, the parents or guardian of any minor child over fourteen years of age with his written consent, the board of managers of any child-caring institution or organization or any children's home or similar institution incorporated by act of the general assembly or organized under the provisions of the general statutes relating to corporations without capital stock, whose objects and purposes are charitable and which holds a license from the commissioner of welfare, by its secretary and with the written consent of the parents, if any, of any minor inmate of such institution, and of such minor if over fourteen years of age, the commissioner of welfare or the board of management of any temporary home for dependent and neglected children having the custody of any minor committed thereto, by its chairman or secretary, with the consent of any such minor more than fourteen years of age.

1943

Sec. 649g. Application and agreement of adoption. Investigation and report by Commissioner of Welfare. Hearings and decrees. Each adoption matter shall be instituted by filing an application in a probate court, together with the written agreement of adoption, in duplicate. The application shall be signed by one or more of the parties to the agreement. The application and the agreement of adoption in case the minor is an inmate of a child-caring institution, children's home or similar institution or organization or any temporary home for dependent and neglected children, shall be filed, in the court of probate, for the district where such institution is located and in all other cases the application and the agreement of adoption shall be filed in the court of probate for the district where the natural parent or guardian of the person of the child or the adopting parent resides. One of such duplicates shall be sent forthwith to the commissioner of welfare. The court of probate shall request the commissioner of welfare or one of the organizations or institutions specified in the preceding

section to make an investigation and written report to it, in duplicate, within thirty days from the receipt of such request. The report shall indicate the physical and mental status of the child and shall contain such facts as may be relevant to determine whether the proposed adoption will be for the welfare of the child, including the physical, mental, social and financial condition of the parties to the agreement and the natural parents of the child, if known. The religious affiliations of the child, the parties to the agreement and the natural parents of the child, if known, shall also be included in the report. Upon receipt of such report the probate court shall set a day for a hearing upon the agreement and shall give reasonable notice thereof to the parties to the agreement and to the child, if over fourteen years of age. At the first hearing the court of probate may deny the application or it may order a further investigation and written report to be filed, in duplicate, within such time as it shall direct, one copy of which shall be sent to the commissioner of welfare, and may adjourn the hearing to a day subsequent to that fixed for filing the report. Any such report shall be admissible in evidence subject to the right of any interested party to require that the person making it appear as a witness, if available, and subject himself to examination. The court of probate, if satisfied that the proposed adoption will be for the best interest of the child, may enter an interlocutory decree approving the adoption until the matter is finally determined, and shall designate a day not less than twelve months nor more than thirteen months thereafter when the matter of finally approving the adoption will be heard. At such hearing, the court of probate, if satisfied that such adoption should be finally approved, shall enter its decree to that effect, or it may continue the matter for further investigation in accordance with the procedure hereinbefore provided. The interlocutory decree shall not be set aside without sound cause which shall be duly specified and entered into the record. The court of probate may enter a final decree approving the adoption at the first hearing, if it is satisfied that such adoption is for the best interest of the child. At any time during the period when the interlocutory decree is in force the court of probate on application of any party to the agreement or the commissioner of welfare and after a hearing reasonable notice of which shall be given to the parties to the agreement, to the commissioner of welfare and to the child, if over fourteen years of age, may enter a final decree approving the adoption; and on like application and notice the court of probate may at any time during said period set aside the interlocutory decree. The court of probate shall ascertain as far as possible the date of birth and the place of birth of the child and shall incorporate such facts in the final decree.

Sec. 650g. Records to be confidential. The state of Connecti- 1943
cut shall furnish each court of probate with an index and a book in which shall be recorded only applications, agreements and decrees in adoption matters. Such court shall also maintain files which shall be used for the filing of sealed envelopes, each of which shall contain all the papers filed in court in respect to an adoption. Said envelopes shall be marked only with the words "Adoption Matter" and the names of the adopting parents and the name borne by the minor before the adoption. No person other than the adopting parents or the child, if over twenty-one years of age, shall have access to said envelopes on file except upon order of the court of probate rendering the decree or any other court of competent jurisdiction. See penalty following under Sec. 89g.

1943

Sec. 651g. Husband and wife to join in adoption. No married person shall adopt a child unless both husband and wife join in the adoption agreement, except that the court of probate may approve an adoption agreement by either of them upon finding that there is sufficient reason why the other should not join therein. When one of the parents of a minor child has died and the surviving parent has remarried, or when the mother of a child born out of wedlock has married, or when a single person has adopted a minor child and thereafter marries, the person with whom such remarriage or marriage is contracted may, at any time before such child arrives at full age, become an adopting parent of such child, upon filing a written declaration, in duplicate, of his desire to adopt or join in the adoption of such child, in the court of probate for the district within which such child resides and upon the approval by the court of the adoption or joinder in the adoption in accordance with the procedure hereinbefore provided for the approval of an agreement of adoption. When a married person prior to July 1, 1886, had legally adopted any child and the husband or wife of such person did not originally join in such adoption, but such husband or wife afterwards became an adopting parent with the approval of the court of probate for the district in which the original agreement of adoption was approved, during the minority of such child and while the original agreement of adoption and the decree of the court approving it remained in full force, by lodging for record with such court a written declaration of an intention to adopt such child, signed by both husband and wife, the relationship of parent and child so established shall remain in effect, and such child shall have the rights of inheritance hereinafter provided for.

1943

Sec. 652g. Inheritance by and from adopted children. The rights of inheritance by and from an adopted child shall be as hereinafter set forth and such rights shall become operative upon the entry of a final decree approving the adoption. An adopted child shall inherit estate from his adopting parent or parents or their relatives as though he were the natural child of such parent or parents and he shall not inherit estate from his natural parents or their relatives. The adopting parent or parents or their relatives shall inherit the estate of an adopted child in case he shall die intestate as if they had been his natural parents and the natural parents or their relatives shall not inherit from him.

1943, S. 89g
1945

Sec. 89g. New statute Sec. 75h. Birth certificates of adopted persons. When the adopting parent or parents of any person born in this state and adopted pursuant to the provisions of the laws of this state or of any other state file with the state department of health a certified copy of the decree of the court in the adoption proceedings, said department shall immediately give written notice of the filing of such certified copy to the registrar of vital statistics of each town in this state in which the birth of the adopted person is recorded. The birth certificate of the adopted person shall include all the information required to be set forth in a certificate of birth of this state as of the date of birth, except that the adopting parents shall be named as the parents instead of the natural parents, but no person except the adopting parent or parents or the adopted person, if then of full age, shall have access to such certificate from said department or such registrar unless the person desiring to examine the birth record or applying for a copy of a birth certificate first obtains and delivers to said department or such registrar a written order, signed by the judge of the probate court for the district in which the adopted person was born, stating that he is of the opinion that the examination of the

birth record of the adopted person by the person wishing to examine the same or that the issuance of a copy of such birth certificate to the person applying therefor will not be detrimental to the public interest or to the welfare of the adopted person or to the welfare of the adopting parent or parents. Such certificate shall be attached to the certificate of birth on file and both shall be placed in a sealed envelope and shall be filed in a separate file from the usual certificate and indexed, under such regulations as the state department of health may make to carry out the provisions of this section and to prevent access to the records of birth and adoption and the information therein contained without due cause, except as herein provided. Any person, except such parents or child, who discloses any information contained in such records, except as herein provided, shall be fined not more than five hundred dollars or imprisoned not more than six months or both.

Sec. 501g. Methods of recording vital statistics. The state department of health is authorized to make such changes in the method provided in sections 2384 and 2386 of the general statutes or in any other existing method of recording, preserving or indexing vital statistics in this state, and to prepare such forms and make such regulations as it shall deem necessary to insure the carrying out of the provisions of this act by the registrars of vital statistics and by the bureau of vital statistics of said department. Section 2387 of the general statutes shall not apply to registrars of vital statistics complying with such changes and regulations, provided such registrars shall have complied in all other respects with the provisions of the statutes to which said section 2387 is applicable. 1943

Sec. 75h and 650g. Penalty. Any person, except the adopting parents or the adopted child, who discloses any information contained in the papers or records of the probate court or of the registrar of vital statistics, concerning an adoption, except as herein provided, shall be fined not more than five hundred dollars or imprisoned not more than six months or both. 1943

Sec. 654g. Change of name of adopted persons. Any court of probate, as part of its approval of any agreement of adoption or declaration of an intention to adopt, may change the name of the person adopted, as requested by the adopting parent or parents; and any change of name heretofore prescribed by such court is validated and confirmed. 1943

Sec. 4813. Adoption of adults. Any person of full age may, by written agreement with another person of full age, younger than himself, unless such other person is his or her wife, husband, brother, sister, uncle or aunt of the whole or half blood, adopt such other person as his child, provided such written agreement be approved by the court of probate for the district in which the adopting parent resides or, if such adopting parent is not an inhabitant of this state, for the district in which such adopted person resides. Such court of probate shall, upon presentation of such agreement of adoption for approval, cause public notice to be given of the time and place of hearing thereon, and, if on such hearing the court shall find that it will be for the welfare of such adopted person and for the public interest that such agreement be approved, it may pass an order of approval thereof and cause such agreement and such order to be recorded, and thereupon such adopted person shall become the legal child of the adopting person, and such adopting person shall become the legal parent 1918, S 4882

Sec. 4813. Written agreement may be supplemented by oral agreement as to property settlement. 96 C. 478.

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of such adopted person, with all the reciprocal rights and duties of a natural parent and child. If the adopting parent shall have living a husband or wife who shall be competent to join in the agreement of adoption, such husband or wife shall join therein, and, upon the approval of such agreement, the adopted person shall be in law the child of both. Such adopted person, by virtue of such adoption, shall inherit estate from his adopting parent or parents, or the relatives of such adopting parent or parents, as though such adopted person were the natural child of such adopting parent or parents, and shall not inherit the estate from his natural parents or relatives; and, in case of the death of such adopted person intestate, the adopting parent or parents and the relatives of the adopting parent or parents shall inherit the estate of such adopted person in the same manner as they would inherit the same had the adopted person been the natural child of such adopting parent or parents. When one of the natural parents of an adult shall have died and the surviving parent shall remarry, the person with whom the remarriage shall be solemnized may become an adopting parent without the natural parent joining in such adoption except to consent in writing and upon the approval of such court, such adopted person shall be in law the child of both and shall inherit estate from both such parents, or the relative of both such natural and adopting parents, but shall not inherit estate from the relatives of the parent who died prior to such adoption, and, in case of the death of such adopted person intestate, the adopting parent and the natural parent who at the time of such adoption was married to the adopting parent, and the relatives of such parents, shall inherit the estate of such adopted person in the same manner as they would inherit the same had the adopted person been the natural child of both such adopting parent and such natural parent, and the relatives of the deceased natural parent, who are not relatives of the surviving natural parent, shall not inherit such estate.

1918, S. 4383

Sec. 4814. Husband or wife of adopted adult to consent. No agreement of adoption between persons of full age shall be approved without the written consent of the husband or wife, if any, of the adopted person.

1918, S. 4946
1927, C. 227

Sec. 4880. Implied and express revocation of will. If, after the making of a will, the testator shall marry or a child shall be born to the testator or minor child shall be legally adopted by him, and no provision shall have been made in such will for such contingency, such marriage, birth or adoption of a minor child shall operate as a revocation of such will. No will or codicil shall be revoked in any other manner except by burning, canceling, tearing or obliterating it by the testator or by some person in his presence by his direction, or by a later will or codicil.

1918, S. 5061
1929, C. 58, S. 18
See Secs. 5156, 5158, 5171

Sec. 4980. Order of distribution. After distribution shall have been made to the husband or wife of the intestate of such portion or share of the estate of the intestate as such husband or wife is

Sec. 4980. Deed with merely nominal consideration presumed to be advancement. 3 C 34. Illegitimate child inherits from mother. 5 C. 232. Advancement by unauthorized agent inoperative. 6 C. 311. Gifts are presumed to be advancements. 6 C. 360; but see 20 C. 326. Advancements are to be brought in and made subject of distribution. 7 C. 5; see 64 C. 419. Intent governs as to whether property is gift, advancement, or partly each. 16 C. 388; 20 C. 327. Specific legacies not advancements. 17 C. 545. Gift cannot be subsequently changed to advancement. 23 C. 521. Widow's share in personal estate vests instanter on death of husband. 26 C. 352. Cited 65 C. 89; 69 C. 625; 72 C. 154; 74. C. 131. This section legitimatizes children born before marriage for all purposes. 69 C. 303; 90 C. 168. Illegitimate children may inherit from mother. 88 C. 270. Intention determines, between loan and advancement; latter can be converted into former only by consent. 79 C. 365. Advancement not chargeable against widow's third. 64 C. 419. State where land lies determines as to its transmission by inheritance. 178 U. S. 186.

entitled to by law, all the residue of the real and personal estate shall be distributed in equal proportions, according to its value at the time of distribution, among the children and the legal representatives of any of them who may be dead, except that children or other descendants who shall receive estate by advancement of the intestate in his life-time shall themselves or their representatives have only so much of the estate as will, together with such advancement, make their share equal to what they would have been entitled to receive had no such advancement been made. Children born before marriage whose parents afterwards intermarry shall be deemed legitimate and inherit equally with other children.

Bastardy Proceedings

Sec. 2030. Support; when and how furnished by creditor. Exception. No jailer shall be required to receive into his custody any prisoner committed to jail on civil process unless the plaintiff in such process shall deposit with such jailer, at the time of such commitment, money for the support of such prisoner for one week at least at the rate established for his weekly maintenance, and thereafter at the same rate weekly in advance, so long as such prisoner shall remain in the custody of such jailer; and such jailer shall not be required to retain such prisoner beyond the time for which such maintenance shall have been paid, provided the payment of such board shall not be required while such prisoner is at large within the jail limits. The provisions of this section shall not apply to commitments on mesne or final process in bastardy cases, nor to commitments under the terms of judgment or decree. 1918, S. 1983, 1984

Sec. 5867 as amended by Sec. 1418e and Sec. 855f. Bastardy complaint by mother. Any woman pregnant with or who has been delivered of a child out of lawful wedlock, upon filing with a commissioner of the superior court the certificate of a reputable physician certifying that after personal examination of the person of the complainant such physician believes that the complainant is pregnant or has been delivered of a child, may complain on oath to such commissioner of the superior court against the person she charges with being the father of such child, and such commissioner of the superior court shall thereupon issue a warrant and cause such person to be brought before some proper authority, provided, 1918, S. 6006 1927, C. 244, S. 1 1930 1937, S. 849d 1941

Sec. 2030. The law has since 1810 cast the support of the debtor upon the creditor; money paid therefor is added as costs on the execution. 49 C. 87.

Sec. 5867. This is not a criminal proceeding. 2. C. 360; 53 C. 525; 85 C. 327. The justice may adjourn the hearing and require the defendant to give bonds for appearance at the adjourned day. 32 C. 222, 223; 105 C. 389. The justice may belong to the town interested. 1 D. 278. Suit by a woman under age; 2 C. 360; by husband and wife. 1 R. 230. Refusal to give bond on binding over is not a forfeiture of recognizance to appear and abide the order of the lower court. 51 C. 497. Higher court can acquire jurisdiction only by a binding over. 53 C. 526. Presence of defendant not essential to the jurisdiction of the higher court. 53 C. 527. Jurisdiction of higher court not affected by failure of justice to commit the defendant for want of bond. 53 C. 526. Bond by putative father for support of child held valid. 54 C. 419. Defective complaint held to have been waived. 58 C. 286, 287. What declarations are and what are not admissible; other evidence. 47 C. 186; 58 C. 287-292; 67 C. 339; 78 C. 65; 79 C. 97; 81 C. 7. Nature of proceedings. 68 C. 47. Statute must be strictly followed; arrest by indifferent person void; so arrest of one brought wrongfully into jurisdiction. 85 C. 327. Allegation that reputable physician certified that complainant was pregnant not required; allegations held sufficient. 93 C. 322. Bond may be ordered to insure defendant's attendance at adjourned sessions of the justice court; sole issue before justice is question of probable cause. 105 C. 389, 390, 128 C. 316.

in all towns in which there is a town, city, borough or police court having civil jurisdiction, such court shall have the same authority that is or may be exercised by justices of the peace in such town. If the court shall find probable cause, or, in the event of the court failure to find probable cause and the plaintiff appealing as hereinafter provided, it shall order such accused person to become bound to the complainant with surety to appear before the next court of common pleas for the county in which the complainant shall dwell, and abide the order of such court, and, on his failure to do so, shall commit him to jail; but, if the complainant shall dwell in New Haven county, within the judicial district of Waterbury, the accused shall be bound in like manner to appear before the next court of common pleas for said district. If the court shall fail to find probable cause, such finding shall be a bar to any further proceeding for the same cause of action, provided the complainant, upon complying with the provisions of section 5442, shall be allowed to appeal to the court to which the defendant might have been bound over if probable cause had been found.

1918, S. 6007

Sec. 5868. Continuance of case; evidence. Such court may order the continuance of such case, and the renewal of such bond, if necessary; and, if such woman shall continue constant in her accusation, it shall be evidence that such accused person is the father of such child.

1918, S. 6008
1927, C. 244, S. 2

Sec. 5869. Judgment and order of court. If the defendant shall be found guilty, the court shall order him to stand charged with the maintenance of such child, with the assistance of the mother, and to pay a certain sum weekly, for such time as the court shall judge proper, and order that the clerk of the court shall issue execution for the same monthly; and the court shall ascertain the expense of lying-in and of nursing the child until the time of rendering judgment, and order him to pay half thereof to the complainant, and shall grant execution for the same and costs of suit; and may require him to become bound with sufficient surety to perform such orders for maintenance and the expense of lying-in and nursing and to indemnify the town chargeable with the support of such child from any expense for its maintenance, and, if he shall fail to comply with any such order, may commit him to jail, there to remain until he shall comply therewith; but, if it shall appear that the mother does not apply the weekly allowance paid by him toward the support of such child, and that such child is chargeable, or likely to become chargeable, to the

Sec. 5868. There can be no trial till the child is born. 1 R. 345. Discharge by mother. Ib., 320. The mother, if plaintiff, must be put to the discovery at the time of her travail, if possible. 2 R. 492; 1 R 107. And must be examined, though the defendant does not appear. 1 R. 345. Cross-examination of the defendant. 28 C. 313, 314. It is not a prerequisite to a suit by the mother that she should have been put to discovery in the time of her travail. 43 C. 484; 47 C. 136; 81 C. 7; 93 C. 320; 108 C. 673. Proof of constancy in accusations not necessary to make out prima facie case; statute merely makes constancy of accusation competent evidence. 93 C. 320; 108 C. 673. If accusations are constant, a prima facie case is made out by the plaintiff; and this is rebuttable only by evidence other than the defendant's own testimony. Id., 674.

Ch. 304. In this state, bastardy proceedings are civil and not criminal in their nature and the general rules respecting civil actions are applicable to them. 118 C. 306.

Sec. 5869. Form of finding and judgment. 2 C. 157; 3 C. 585; 5 C. 426. "Maintenance" defined. 2 C. 157; 4 C. 566; 567. Form of bond. 2 R. 497; 1 R. 230. Burial expenses of the child do not fall within "lying-in or nursing" expenses. 67 C. 345. Amount and duration of weekly payments rest in discretion of court. 93 C. 324; requiring payments until child is fourteen held reasonable. Ibid. Judgment for defendant in bastardy action held a bar to subsequent action for seduction brought by father of original plaintiff. 104 C. 587, 592. Surety not liable on bond unless mittimus for committal of the accused to jail be issued for, until this is done, no basis for conclusion that condition of recognizance has been broken. 128 C. 313-322.

town where it belongs, the court, on application, may discontinue such allowance to the mother, and may direct it to be paid to the selectmen of such town, for such support, and may issue execution in their favor for the same. The clerk of the court which shall have rendered judgment for the payment of money for the maintenance of any child under the provisions of this section shall, within twenty-four hours after such judgment shall have been rendered, notify the selectmen of the town where the child belongs and such selectmen shall have general supervision of the welfare of such child during the continuance of such order.

Sec. 5870. Settlement of bastardy case; what consent essential. No complaint shall be withdrawn, dismissed or settled by agreement of the mother and the putative father of any bastard child, without the consent of the selectmen of the town in which such mother has her settlement or residence, or the consent of her parent or guardian, unless provision shall be made to the satisfaction of the court to relieve such parent, guardian or town from all expense that has accrued, or may accrue, for the maintenance of such child and for the cost of complaint and prosecution thereof. No settlement made by the mother and father, or the guardian of the mother or father, before or after such complaint shall have been made, without the approval of the selectmen of the town chargeable with the support of such bastard child, shall relieve the father from liability to such town for such child's support. 1918, S 6009

Sec. 5871. Town may maintain bastardy suit, when. The town interested in the support of a bastard child, when sufficient security shall not be offered to indemnity it against all expense for its support, may, if the mother shall neglect to bring such a suit, institute a suit against the person accused of begetting such child, and may take up and pursue any suit commenced by the mother for the maintenance of such child, in case she shall fail to prosecute to final judgment; and any bond given by the defendant in such case to the complainant shall have the same effect as if given to such town; and, if the defendant shall be found guilty, the court shall make an order that he shall give a bond with sufficient surety to such town, to indemnify it against all expense for the maintenance of such child, and pay the costs of prosecution; and, on failure to comply with such order, may commit him to jail there to remain until he shall comply therewith. 1918, S 6010

Sec. 5872. Bastardy suit may be compromised by selectmen. When any town shall have brought a suit under section 5871, the selectmen of such town may compromise such suit on receipt of a fixed sum, or of security for the payment thereof for the benefit of the town, instead of prosecuting the same to final judgment. 1918, S 6011

Sec. 5873. Continued liability of one committed for bastardy. No person committed to jail for failure to comply with an order of the court as provided in sections 5867, 5868, 5869 and 5871, or any of them, shall be entitled to any of the privileges allowed other prisoners on civil process, or to take the oath provided for poor debtors, within six months from the date of such commitment, but 1918, S. 6012

Sec. 5870. Promise not to bring suit is a good consideration. 68 C. 48.

Sec. 5871. Proof that the mother was examined in her travail, unnecessary, if selectmen sue. 1 D. 278. Her testimony also unnecessary. 6 C. 44. Necessary averments in declaration. 6 C. 44; 5 C. 424; 7 C. 289. The suit may be commenced by forthwith process. 7 C. 289. Only one selectman need swear to the complaint. 6 C. 44. The judgment cannot be for a weekly sum. 28 C. 444. Town chargeable with child's support not necessary party to bastardy action by mother. Bond should provide indemnity to town for expenses of maintenance; town could sue on it as third party beneficiary. 128 C. 313, 322.

Sec. 5873. 128 C. 319.

shall be kept at hard labor during such six months; and the mother of such bastard child, or the town chargeable with its support, may, at any time after the liberation of such prisoner, or after his taking said oath, recover the sum or sums, due from him in pursuance of such order of court.

1918, S. 6013

Sec. 5874. Support of defendant while imprisoned. The complainant shall not be required to pay or give security for the support of the defendant during his confinement in jail, nor shall such defendant be discharged from imprisonment by reason of payment or security not being made or given for his support, but the jailer shall furnish such support and may recover the cost of the same from such defendant, or, in case of his inability to pay such cost, from the town where he shall belong; and, in case he shall belong to no town in this state, such cost shall be paid by the state.

1918, S. 6014

Sec. 5875. Evidence of good character admissible. Evidence of the good character of the accused for morality and decency, prior to the alleged commission of the offense, shall be admissible in his favor in bastardly proceedings, and may be rebutted by evidence showing a contrary character at such time.

1918, S. 6015

Sec. 5876. Either party may demand jury trial. In any prosecution under the provisions of this chapter, the trial of the question of fact as to the guilt or innocennce of the defendant shall, at the desire of either party, be by jury.

1918, S. 6160

Sec. 6012. Bastardy complaint to be brought within three years. No complaint of bastardy shall be brought after three years from the birth of the bastard.

Criminal Offenses

1943

Sec. 752g. Defining "felony" and "misdemeanor." Any crime punishable by death or imprisonment for more than one year shall be deemed a felony, and any other crime, unless designated a felony by statute, shall be deemed a misdemeanor.

1918, S. 6203

Sec. 6059. Abandonment of child under the age of six years. Any person having the charge of any child under the age of six years who shall expose it in any place, with intent wholly to abandon it, shall be fined not more than five hundred dollars and imprisoned not more than five years.

1918, S. 6204

Sec. 6060. Taking or enticing away a child. Any person who shall wilfully take or entice away any child under the age of twelve years with intent to detain or conceal it from the person having its lawful charge or custody shall be fined not more than five hundred dollars and imprisoned not more than five years.

1918, S. 6205
1921, C. 81
1927, C. 129
1943

Sec. 6061 as amended by Sec. 732g. Cruelty to persons. Any person who shall torture, torment, cruelly or unlawfully punish or wilfully or negligently deprive any person of necessary food, clothing, shelter or proper physical care; and any person who, having the control and custody of any child under the age of sixteen years, in any capacity whatsoever, shall maltreat, torture, over-

Sec. 5874. 128 C. 319.

Sec. 5876. Usual rules as to claiming case apply. 73 C. 248.

Sec. 6061. Justice of the peace can take final jurisdiction of an offense against the provisions of this section as the maximum sentence which could be imposed is a year in jail and could not be to the State Prison. 115 C. 601, 602, 603.

work, cruelly or unlawfully punish or wilfully or negligently deprive such child of necessary food, clothing or shelter, shall be fined not more than five hundred dollars or imprisoned not more than one year or both.

Sec. 733g. Injury or risk of injury to children. Any person who shall wilfully or unlawfully cause or permit any child under the age of sixteen years to be placed in such a situation that its life or limb is endangered, or its health is likely to be injured, or its morals likely to be impaired, or shall do any act likely to impair the health or morals of any such child shall be fined not more than five hundred dollars or imprisoned not more than ten years or both. 1943

Sec. 734g. Psychiatric examinations. The court may order any person convicted under section 732g or 733g to be examined by one or more competent psychiatrists. 1943

Sec. 6062. Abduction of child by either parent. Whenever the parents of a minor child shall be living apart, either parent who shall decoy or forcibly take such child from the possession of the other with intent to remove it from the state, or having so obtained possession of such child, shall remove it from the state, shall be fined not more than five hundred dollars or imprisoned not more than three years. 1918, S. 6206

Sec. 6063 as amended by Sec. 1434e. Kidnapping. Any person who shall kidnap or fraudulently decoy any person into or out of this state, or who shall, maliciously and without lawful authority, arrest or imprison any person with intent to have him carried out of this state or in any way detained against his will, and any person who shall fraudulently or forcibly restrain any person of his liberty, for revenge or with intent to demand a ransom, reward, concession or other valuable thing for his release, or who, with such intent, shall use any force or violence or threaten to harm or injure such person, or to fraudulently or forcibly restrain him of his liberty, shall, if death result to the person so kidnapped or restrained of his liberty, be subject to the penalties provided by the general statutes for the crime of murder, and proof of wilful, deliberate and premediated killing or of a specific intent to kill in such case shall not be required of the state. If death shall not result to the person so kidnapped or restrained of his liberty, the person convicted of such crime shall be imprisoned in the State Prison not more than fifty years. Any person who shall conspire with another to violate any of the provisions of this section shall be imprisoned in the State Prison not more than thirty years. 1918, S. 6207 1937, S. 853d

Sec. 6064. Unlawful exhibition or employment of child. Any person who shall exhibit, use, employ, apprentice, give away, let out or otherwise dispose of any child under the age of sixteen years, in or for the vocation, occupation, service or purpose of rope or wire walking, dancing, skating, bicycling or peddling, or as a gymnast, contortionist, rider or acrobat, in any place or for any obscene, indecent or immoral purpose, exhibition or practice or for or in any business, exhibition or vocation injurious to the health or dangerous to the life or limb of such child, or shall cause, procure or encourage any such child to engage therein, shall be fined not more than two hundred and fifty dollars or imprisoned not more than one year or both. 1918, S. 6208

Sec. 6225. Seduction of minor female. Any person who shall seduce and commit fornication with any minor female, or who shall entice or take away from her parent, guardian or residence, 1918, S. 6378

Sec. 6225. Definition of seduction. 27 C. 320; 76 C. 136.

for such purpose or for the purpose of concubinage, shall be imprisoned not more than five years and fined not more than one thousand dollars.

1918, S. 6380

Sec. 6228. Parent or guardian consenting. Any parent, guardian or other person having the custody or control of any female under the age of twenty-one years, who shall consent to her being used, taken or detained by any person for the purpose of prostitution or sexual intercourse, shall be fined not more than one thousand dollars or imprisoned not more than one year or both.

1918, S. 6389

Sec. 6237. Secret delivery of a bastard. Any woman who shall conceal her pregnancy and shall willingly be delivered in secret by herself of any bastard child shall be fined not more than one hundred and fifty dollars or imprisoned not more than three months.

1918, S. 6390

Sec. 6238. Concealment of birth of bastard. Any woman who shall endeavor to conceal the birth of any such child, so that it may not come to light, shall be fined not more than three hundred dollars and imprisoned in jail not more than one year and shall become bound to the state in recognizance with surety for her good behavior.

1918, S. 6392
1923, C. 47
1943

Sec. 6240 as amended by Sec. 738g. Rape and carnal abuse of a female child. Any person who shall commit the crime of rape upon any female shall be imprisoned in the state prison not more than thirty years. Any person who shall carnally know any female under the age of sixteen years shall be guilty of rape and shall be fined not more than one thousand dollars or imprisoned not more than thirty years or both. No female under the age of sixteen years shall be deemed capable of consenting to an act of intercourse.

1943

Sec. 739g. Examination for venereal disease of persons accused of certain crimes. The court before which is pending any case involving a violation of any provision of chapter 328 of the general statutes, shall, before the final disposition of such case, order the examination of the accused person to determine whether or not he is suffering from any venereal disease. If such examination discloses the presence of a venereal disease, the court may make such order with reference to the continuance of the case or the detention, treatment or other disposition of such person as the public health and welfare requires. Such examination shall be conducted at the expense of the state. Any person who fails to comply with any order made by any court under the provisions of this act shall be fined not more than one thousand dollars or imprisoned not more than five years or both.

Sec. 6240. Evidence showing constancy in accusation admissible. 8 C. 100; 44 C. 155; 47 C. 466; 93 C. 321. Conviction may be had on uncorroborated testimony of a nine-year-old girl as to principal fact. 29 C. 389. Evidence as to general good character of accused admissible. 33 C. 269. Jury must be satisfied that act was without consent of prosecutrix, but there is no rule of law that she should make the utmost resistance. 45 C. 264; see also 72 C. 44. Rape may be committed on child under ten years of age. 46 C. 362. Unnecessary to allege that prosecutrix was ten or more years of age. 50 C. 579. Resistance; putting in fear. 72 C. 44. Intoxication or insanity of complainant; charges by her against other men; liberality in applying rules, where only she and accused are wtnesses. 80 C. 546. What constitutes abuse of minor; 81 C. 97; election between counts; declarations of victim; Id., 1; 93 C. 321; woman may be guilty of abuse of minor, as accessory; 82 C. 213; previous unchastity or consent no defense; cross examination of complainant. Id., 454.

Sec. 6240. When husband and wife under age of sixteen live together voluntarily, the former is not guilty of crime under this section. 113 C. 288, 294. Cited. 113 C. 786. 118 C. 505. 128 C. 324 (See 738g)

Sec. 6242. Assault with intent to carnally know female child. 1918, S. 6394
Any person who shall make an assault upon the body of any female under the age of sixteen years, with intent to carnally know and abuse such female, shall be imprisoned not more than ten years; and any person prosecuted for carnally knowing and abusing any female under the age of sixteen years may be convicted of the offense mentioned in this section. See Sec 6240

Sec. 6258. Causing dependency or delinquency of children. 1918, S. 6407
1925, C. 66
Any parent, guardian or other person having custody of any child under sixteen years of age who shall omit to exercise reasonable diligence in the control of such child to prevent such child from becoming a juvenile delinquent or from becoming a child in need of the care and protection of the state, as defined by statute, or who shall permit such child to associate with vicious, immoral or disorderly persons, or to beg or solicit alms, or to wander about the streets of any city, town or village late at night without being engaged in any lawful business, or to furnish entertainment for gain upon the streets or in any public place, or to be an habitual truant from school, or to enter or remain within any disruptable house or place where gambling is carried on, or to enter any place where the morals of such child may be endangered or depraved or may be likely to be impaired, and any such person or any other person who knowingly shall be responsible for such conduct or conditions which may cause any child under the age of sixteen years to be adjudged a juvenile delinquent or to be in need of the care and protection of the state, shall be fined not more than five hundred dollars or imprisoned not more than six months or both.

Offenses Against Public Policy

Sec. 6265 as amended by Sec. 1702c. Non-support. (a) Any person who shall *** neglect or refuse to furnish reasonably necessary support to his wife, child, grandchild, parent or grandparent shall be deemed guilty of a felony and shall be imprisoned not more than one year, unless he shall show to the court before which the trial is had, that, owing to physical incapity or other good cause, he is unable to furnish such support. The court before which such conviction is had may suspend the execution of any jail sentence imposed, provided the person convicted shall execute, and the court, or the clerk of such court, shall accept, a bond to the treasurer of the city or town in which such conviction is had, with good and sufficient surety, in such amount as the court may determine, conditioned for the payment for such support *** in such amount as the court may find commensurate with the necessities of the case and the ability of such person, for the term of not more than one year from the date of such conviction. Such court may also suspend the execution of any jail sentence imposed, upon any other terms or conditions that it may deem just, or may suspend 1918, S. 6416
1919, C. 213
1929, C. 148
1930
1935

Sec 6265. Generally. 41 C. 433. Adultery of wife sufficient defense. 57 C 539; 100 C. 731. What facts justify wife in leaving husband; burden of proof. 91 C. 6. Venue of action is ordinarily place of husband's residence, since wife's residence follows that of her husband. 93 C. 363. Husband's duty is to support wife at his residence but not elsewhere. Ibid. Information in words of statute sufficient; measure of support varies with circumstances of parties. 99 C. 118, 119; 100 C. 730. When wife's misconduct will relieve husband of this duty. Id., 731. Unjustifiable abandonment suspends duty; facts held to warrant conclusion of unjustifiable abandonment. 107 C. 108. Payments set forth in bond for support must be met even though wife has not been furnished help by town to whom bond was given. 94 C. 247. (b) Held constitutional. 129 C. 570, 575

the execution of the balance of any such sentence in a like manner. (b) Any person who shall violate any provisions of this section may be prosecuted before any court of this state in the same manner as if such offense had been committed within the territorial jurisdiction of such court.

1929, C. 148, S. 4

Sec. 6266. Appeal. If the accused shall appeal, such court, in addition to requiring a recognizance or appearance bond, may order such accused to give a bond similar to the bond provided for in section 6265, which bond shall be conditioned for his furnishing support pending the determination of such appeal. In the event of a conviction on an appeal or on a binding over, the court may suspend the sentence in the same manner as provided in section 6265, and any bond accepted under the provisions of said section shall be taken to the treasurer of the city or town in which such person was originally convicted.

1929, C. 148, S. 5

Sec. 6267. Failure to make payments. If any person so convicted shall fail to make any payment required by any bond taken, or to comply fully with the terms and conditions imposed under the provisions of section 6265, the suspension of the execution of any jail sentence imposed may be revoked and such person may be committed, and any such action shall not affect the validity of any such bond.

1929, C. 148, S. 6
1930
1931

Sec. 6268 as amended by Sec. 1704c. Jurisdiction. Any justice of the peace or any town, city or borough court, before which any complaint shall be brought for the offense set forth in section 6265, may hold a trial thereon, and, if in the opinion of such justice or court no greater punishment ought to be imposed, may render judgment, in the case of justices of the peace, for imprisonment in the county jail for not more than sixty days, and, in the case of town, city and borough courts, for not more than six months, subject to the right of the accused to appeal as provided by statute in other cases; but, if in the opinion of the court a greater punishment should be inflicted, the accused shall be bound over to the next term of the court of common pleas having criminal jurisdiction to be held in the county in which the offense was committed, if any there be, otherwise to the next session of the superior court having criminal jurisdiction in said county.

1918, S. 6417
1919, C. 86
1921, C. 155

Sec. 6269. Forfeited bonds in non-support cases. When any bond or recognizance conditioned for the appearance of any person accused in any information or complaint charging a violation of any of the provisions of section 6265 shall become forfeited or whenever any person convicted under the provisions of said section shall give a bond as therein provided and fail to comply with the provisions of the same, the court or justice of the peace before which such information or complaint is pending or in which such conviction was had, upon collection or settlement of such forfeited bond or recognizance, may order the avails or any portion thereof to be paid to the wife or for the support of the children or both, in such manner and instalments as such court of justice may find reasonable, or may order the avails or any portion thereof to be paid to the selectmen of the town, who shall administer the same for the benefit of the wife or children or both, as they may find reasonable.

1918, S. 6435

Sec. 6282. Children protected from improper amusements. Any person owning, keeping or managing, wholly or in part, any dance house, concert saloon, roller skating rink, theater, moving picture show or phonograph hall or any museum having entertainment or variety shows connected therewith who shall allow, at

any time, any child under the age of fourteen years, or, after six o'clock in the afternoon of any day, any boy under the age of fourteen or any girl under the age of sixteen years, to be admitted or to remain in such place, unless such child shall be accompanied by his or her parent or guardian or some adult person authorized by such parent or guardian to attend such child, shall be fined not more than fifty dollars.

Sec. 6283. Sale of tobacco to minors under sixteen. Any person who shall sell, give or deliver to any minor under sixteen years of age, tobacco in any form, shall be fined not more than twenty-five dollars for the first offense and not less than twenty-five dollars nor more than one hundred dollars for each subsequent offense. 1918, S. 6436

Sec. 6327. Billard and pool rooms; closing. Minors under eighteen. Any person who shall keep open a public billiard or pool room in connection with which, or the premises to which it is appurtenant, food is sold or offered for sale, unless there shall be a substantial partition between such billiard or pool room and the place where such food is sold or offered for sale or shall keep open a public billiard or pool room between the hours of one o'clock in the forenoon and eight o'clock in the forenoon or any proprietor or keeper of such public billiard or pool room who shall permit any person to play upon or use a public billiard or pool table during the hours when it its unlawful to keep such room open as prescribed by this section or shall, at any time, permit any person under eighteen years of age unaccompanied by parent or guardian to loiter in or about such room or shall employ any person under eighteen years of age in or about such room, shall be fined not more than fifty dollars or imprisoned not more than thirty days or both. The first selectman of any town, chief of police of any city or the warden of any borough may, in such town, city or borough, order all public billiard or pool rooms therein to close at twelve o'clock midnight. Such order shall be in writing and shall be left with the owner of such billiard or pool room or person having charge of the same. Any person who shall keep open such billiard or pool room in violation of any provision of any order issued under the provisions of this section shall be fined not more than fifty dollars or imprisoned not more than thirty days or both. Any sheriff, deputy sheriff, constable or police officer may at any time enter a public billiard or pool room for the purpose of ascertaining if the law is being violated therein, and any person who shall obstruct or hinder the entrance of any such officer shall be fined not more than seven dollars or imprisoned not more than thirty days or both. 1918, S. 6479

Sec. 6338. Gift enterprise forbidden. Any person who shall sell or offer for sale to any minor any box or package, the consideration of such sale being in whole or in part any distribution of or any chance at drawing or obtaining any article of value in such box or package, shall be fined not more than one hundred dollars or imprisoned not more than six months or both. 1918, S. 6489

Sec. 6467 as amended by Sec. 892f. Search when cruelty is suspected. Any prosecuting officer of any court in this state, any grand juror or any officer of the Connecticut Humane Society, upon reasonable information to him given, may apply to any judge of the superior court or of the court of common pleas for a warrant authorizing such prosecuting officer or grand juror to enter and search any place or places which shall be reasonably described 1918, S. 6619 1941

See Sec 6395

Sec. 6284. Cited. 115 C. 594, 595.

in the application to such judge, for the purpose of ascertaining whether any offense described in section 6061 had been committed therein.

1918, S. 6645

Sec. 6491. Sentence of persons between sixteen and seventeen. When any person between the ages of sixteen and seventeen years shall be convicted of an offense, the punishment for which, in whole or in part, is or may be imprisoned in the State Prison, the court may sentence him to imprisonment for the same term in the jail of the county where such conviction is had.

See Sec. 1830

1918, 6670, 6675 1939, S. 1472e 1941

Sec. 6517 as amended by Sec. 1472e and Sec. 899f. Probation officer; duties concerning minors. Whenever any minor shall have been arrested, the probation officer shall, as soon after the arrest as practicable, be notified by the police in order that he may, before the trial, ascertain the facts in the case. Pending such investigation the court may commit the accused to the custody of the probation officer. Whenever a minor shall be convicted in a town, city, or borough or police court or by a justice of the peace and shall appeal to the superior court or the court of common pleas or shall be bound over by a town, city, borough or police court or by a justice of the peace to the superior court and in default of bail should be committed to a jail, the superior court or court of common pleas or, if such be not in session, any judge thereof, upon application and after due notice to the prosecuting authority of the court to which such minor has appealed or been bound over, may order that such minor be committed to the custody of a probation officer pending the disposition of the case. Any such order shall be filed with the clerk of the court to which the minor has appealed or been bound over and a certified copy thereof filed with the jailer shall be sufficient warrant for the release of such miner to the custody of the probation officer. Any interference with any probation officer or with any person placed in his charge shall render the person so interfering liable to the provisions of section 6183.

1918, S. 424

Sec. 459. Loitering of children may be prohibited. The common council of any city may, by ordinance, prohibit the loitering in the night time of children under the age of fifteen years on the streets, alleys or public places within its corporate limits.

1918, S. 843, 844, 845 1931

Secs. 916 and 917 as amended by Sec. 259c. Habitual truants. Each city and town may make regulations concerning habitual truants from school and children between the ages of seven and sixteen years wandering about its streets or public places, having no lawful occupation and not attending school; and may make such by-laws respecting such children as shall conduce to their welfare and to public order, imposing penalties, not exceeding twenty dollars, for any one breach thereof. The police in any town, city or borough, and bailiffs, constables, sheriffs and deputy sheriffs in their respective precincts shall arrest all such children found anywhere beyond the proper control of their parents or guardians during the usual school hours of the school terms; and may stop any child under sixteen years of age, during such hours, and ascertain whether he is a truant from school; and, if he be, shall send him to school.

1918, S. 847 1921, C. 336 1927, C. 260

Sec. 918. Fees for arresting truants. Officers other than policemen of cities shall receive for making the arrests required by section 917 such fees, not exceeding the fees allowed by law for making other arrests, as may be allowed by the selectmen of the town in which such arrests are made; but unless a warrant was issued by a judge of the juvenile court the officer shall, before re-

ceiving his fees, present to the selectmen of the town a written statement showing the name of each boy arrested, the day on which the arrest was made and, if the boy was returned to school, the name or number of the school to which he was so returned.

Sec. 919. Warrant and hearing. In all cases arising under the provisions of sections 917 and 918 a proper warrant shall be issued by a judge of the juvenile court in the jurisdiction where such arrest is made; and the father, if living, or if not, the mother or guardian of such boy, shall be notified, if such parent or guardian can be found, of the day and time of hearing. The fees of any judge or justice acting as a juvenile court shall be two dollars for such hearing; and all expenses shall be paid by the town, city or borough in and for which he exercised such jurisdiction. 1918, S. 848 1921, C. 336 1927, C. 260

Children in County Homes

Sec. 1011 and 1012 as amended by Sec. 332c. Children in county homes. Children committed to county homes shall be enumerated by the county commissioners for each county and returns shall be made as provided for town boards of education; but any such child attending a public school shall be enumerated by the town in which such child shall attend school. The county commissioners may employ teachers for the schools at the county homes and shall provide books for the children and apparatus for teaching. The state board of education shall supervise such schools. All money from the enumeration grant due any county from the state on account of children committed to a county home shall be paid to the treasurer of such county instead of to the treasurer of the town in which the county home is located. The county commissioners shall not employ any teacher who does not hold a state certificate. Said commissioners shall not pay any teacher nor maintain any such school unless an agent of the state board of education shall certify in writing that such school has been kept for each month in conformity to law. 1918, S. 1031, 1032, 1033 1930 1931 1933 1935

Sec. 1016 as amended by Sec. 267e. Reimbursement for non-resident children. (a) Children placed out from county homes or from or by other agencies or persons shall be entitled to all free school privileges of the town where they then reside, whether in custodial institutions, in private homes or with persons licensed to operate homes for children. (b) When the average daily attendance of such children attending school in any town shall exceed one percent of the total of the average daily attendance in such town, the chairman and secretary of the board of education of such town shall, at the end of each school year, certify under oath to the state board of education, on forms furnished by said state board, the average daily attendance of such children together with the per capita expense of tuition. The secretary of said state board shall certify to the comptroller the amount due to each town for tuition of such children in excess of said one percent, and the comptroller shall draw his order on the treasurer for the payment of such amount from the civil list funds of the state to the treasurer of such town. Any town from which a payment under this section shall be withheld shall have the right of appeal to the superior court for the county in which such town is located. (c) No town shall be required to provide school accommodations for 1923, C. 229 1930, S. 1016 1933, S. 334c 1937, S. 197d 1939

Sec 332c. Cited. 127 C. 57.

any child whose legal residence is in another state unless a bond, in the sum of five hundred dollars, issued by a surety company authorized to do business in this state and conditioned upon the payment of such tuition, shall be filed with the treasurer of the town in which such child is attending school by the parent or guardian, or other person or organization in control of such child. (d) Children residing with relatives or non-relatives, when it is the intention of such non-relatives and of the children or their parents or guardians that such residence is to be permanent and provided without pay, shall be entitled to all free school privileges accorded to resident school children of the district or town in which they reside. (e) Each such child shall be enumerated in the town in which he is actually residing on the date of the enumeration.

Special Officers

1919, C. 155
1921, C. 128
1937, S. 406d

Sec. 1934 as amended by Sec. 623e. Special officers. The commissioner of state police may appoint, at the request of the Connecticut Humane Society, duly accredited agents of that society as special police officers to serve for two years from the date of their respective appointments, subject to removal by said commissioner. Such officers shall serve without pay, except their regular compensation as agents of said society. They shall receive no fees for services or return of any criminal process and shall have, throughout the state, the powers of sheriffs, constables and police officers to arrest and detain any person violating any provision of the statutes concerning the neglect or cruel treatment of children, offenses against children or cruelty to animals.

1921, C. 217

Sec. 1936. Temporary commitment of children. The Connecticut Humane Society may receive and detain any child actually or apparently under sixteen years of age on temporary commitment by any court or justice having authority to commit children.

1918, S. 1884

Sec. 1940. Officers and agents to have certificates or badges. Officers and agents of said society shall be provided by said society with certificates that they are such officers or agents, in such form as the directors of said society may choose, or with badges bearing the name or seal of said society, and shall, if requested, show such certificates or badges when acting officially.

Persons Boarding Infants

1918, S. 2687,2688

Sec. 2680. Persons boarding infants to notify selectmen. Inspection by selectmen. Each person who shall make a business of taking children under ten years of age, other than members of such person's family, to entertain or board, in any number exceeding two in the same house at the same time, shall, within three days after the reception, removal or death of any such child, give written notice thereof to the selectmen of the town within which such house is situated, specifying the name and age of such child, the place of residence of the parties so undertaking its care and the birthplace and parentage of such child if known. The selectmen, or some person appointed by them, shall visit and inspect such premises as often as once in each month and, within one week after such visit, make a written report containing a statement of the number of such children in such house, the number received and

removed since the last visit, the number of deaths and the causes thereof and the condition of the premises and of the children; which report shall be kept on file in the office of the registrar of vital statistics of such town.

Sec. 2681 as amended by Sec. 944e. Premises to be open to inspection. Any house or premises described in the preceding section (2680) shall, at all hours during the day and before nine o'clock in the evening, be open to inspection by any officer or agent of the state department of health, of the public welfare council or of the Connecticut Humane Society, provided such inspection be made in company with a selectman of the town in which such house is located or with some person appointed by the selectman of such town, by the court of probate for the district where such house is located or by the judge of any town, city or borough court having jurisdiction in such town or probate district over children that may be committed to a county temporary home. Such authorized visitors may direct and enforce such measures respecting such children and premises as they may deem advisable. 1918, S. 2689 1930 1937, S. 601d

Sec. 2682. Penalty. Any person violating any provision of sections 2680 and 2681 or refusing admission to any of the persons specified in section 2681 shall be fined not more than five hundred dollars or imprisoned not more than one year or both. 1918, S. 2690

Commitments to Reform Institutions or Temporary Homes

Sec. 4782. Commitments to reform institutions or temporary homes. The court of probate shall have concurrent jurisdiction with city, police, borough and town courts and justices of the peace in hearings and determining applications for commitments to Long Lane School and the Connecticut School for Boys, and shall also have concurrent jurisdiction with said courts in hearing and determining applications for commitments to temporary homes for dependent and neglected children in the manner provided by law. 1918, S. 4847 1921, C. 402, S. 2

Children, Custody

Sec. 5184. Order as to custody of children. On any complaint for a divorce, the court may, at any time, make any proper order as to the custody, care and education of the children and may, at any time thereafter, annul or vary such order. 1918, S 5289

Sec. 5185. When sole custody of children given to mother. In any case in which a divorce shall have been granted on the complaint of a woman, without any order being made at the time of granting such divorce, relative to the custody of the children, and in any case in which any husband and wife having minor children, shall, by reason of the abandonment or cruelty of the husband, live separately, the superior court in the county where the parties, 1918, S. 5290

Sec. 5184. Settlement of child not affected by award of custody. 2 C. 20. Defendant not bound to defray expenses of divorce suit containing prayer for custody of children 18 C 424.

or one of them, reside, may, on the complaint of the mother and due notice given to the husband, award the custody of the children to the mother, for such time and under such regulations as it may deem equitable.

1918, S. 5291

Sec. 5186. Court may assign custody of children to either party. In any controversy before the superior court between husband and wife as to the custody of minor children of the marriage, the court may assign the custody of any of such children to either parent according to its best judgment upon the facts of the case, and upon such conditions and limitations as it shall deem equitable; and, when such court shall not be actually in session, any judge thereof may, prior to any action in the premises by the superior court, make any order which he may deem reasonable as to the care, custody and maintenance of any such minor children during the pendency of the cause, and make any other order in the cause, including orders of injunction, and any such order may afterwards be set aside or altered by such court, or by such judge when such court shall not be actually in session.

1918, S. 5292

Sec. 5187. Children how supported. Upon the dissolution of any marriage by divorce, the parents of a minor child of such marriage, who is in need of maintenance, shall maintain such child according to their respective abilities, and, upon the complaint of either parent, then or thereafter made to the superior court, it shall inquire into their pecuniary ability, and may make and enforce such decree against either or both of them, for the maintenance of such child as it shall consider just, and may direct security to be given therefor.

1918, S. 5293
1939

Sec. 5188 as amended by Sec. 1316e. Orders relative to children and alimony; void marriages. Whenever from any cause any marriage shall be void or voidable under the laws of this state or of the state in which such marriage was performed, the superior court may, upon complaint, pass a decree declaring such marriage void, and may thereupon make such order in relation to any child of such marriage and concerning alimony as it might make in a proceeding for a divorce between such parties if married.

Sec. 5186. Court will not take daughter from custody of mother, when child is well cared for, and not liable to be by father. 2 R. 461. Power of court to modify order, even where children have been removed to foreign jurisdiction. 83 C. 479. Jurisdiction of Superior Court limited to habeas corpus and orders incidental to divorce decree; distinction between custody of person and custody of estate. 97 C. 442, 443 ff.

Sec. 5187. Transfer of guardianship does not release from liability of support. 3 D. 56. A wife who was granted a divorce and who was awarded custody of children cannot recover entire support of such children from husband. 22 C. 421; but see 43 C. 350, decided since change in statute. Not necessary for town to exhaust remedy provided by this section before proceedings to treat parent as pauper. 35 C. 542. When child is in custody of mother under order of court pending divorce, father's liability for support remains. 68 C. 262, 263.

Sec. 5188 As to "alimony", see 77 C. 31. See note to Sec. 5182.

Sec. 5188. The consent of the parties is an essential condition to the forming of the marriage relationship. 119 C. 197

RELIEF

Federal Aid

Sec. 115c as amended by Sec. 157e. Federal aid. The commissioner of welfare is designated as the administrative agency of the state to administer financial or any other aid for emergency relief purposes which the United States government has authoribed or may authorize to be given to the several states. The state treasurer is directed to receive all money granted by the United States or by any agency thereof and to hold the same separate from all other funds of the state. Funds granted to the state for emergency relief purposes shall be disbursed by the treasurer, upon voucher of the comptroller, under direction of and subject to the rules and regulations of said commissioner. Such money, together with the balance of federal relief grants and allotments previously made to the state and formerly administered by the emergency relief commission, shall be distributed or such other aid shall be administered by said commissioner for emergency relief in the state. 1933 1935 1937, S 126d

Paupers: Settlement

Sec. 661c. "Town" and "selectmen" defined. The words "town" and "selectmen", wherever they occur in the statutes relating to the care and maintenance of the poor or to the care and custody of neglected or uncared-for children, shall mean, respectively, the municipality liable, either temporarily or permanently, for the care and support of such poor and the care and control of such children and the board, officer or commission whose duty it is to care for such poor or such children, either temporarily or permanently. 1933

Sec. 1684. How gained by foreigners. No person who is not an inhabitant of this state or of some state or territory of the United States, who shall come to reside in any town in this state, shall gain a settlement therein, unless admitted by a vote of its inhabitants or by consent of its justices of the peace and selectmen, a majority of whom, convened and acting as one board, shall be a quorum for that purpose. Any two of the justices of the peace and selectmen of any town may call a meeting of such board for the purpose of giving such consent, by causing notices to be left with the other justices of the peace and selectmen or at their usual places of residence, at least three days before the time named in such notice for such meeting; and, when assembled, they shall decide upon all applications made to them, in behalf of persons residing in such town, to be admitted to settlement therein. 1918, S 1613, 1614

Sec. 1684. Foreigner gains no settlement in any town by commorancy. 1 R. 398; 37 C. 484; 56 C. 465; 73 C. 47; Id., 161. Citizens of other states not foreigners. 1 R. 408. Subject of Great Britain domiciled in Connecticut before treaty of peace, not regarded as an alien. 5 D. 169. Acquisition of settlement by aliens under act of 1781. 5 C. 367. Settlement of a female inhabitant, not affected by her marriage with a foreigner. 6 C. 45. An alien naturalized in and a resident of one town, and subsequently removing to another town, acquires a settlement in the second town. 53 C. 331.

Sec. 1684. A pauper's status is fixed by the statue in force when he first applies for relief. Statutes relating to paupers reviewed. 116 C. 539 et seq. See note to Sec. 1686.

1918, S. 1615
1921, C. 97

Sec. 1685. How gained by inhabitants of other states. No inhabitant of any other state or any territory of the United States, who may come to reside in any town in this state, shall gain a settlement therein, unless he shall have continuously resided in such town four years next preceding the time he claims to be an inhabitant and shall have maintained himself and family during the whole of said period without expense to such town or to this state; or shall have been admitted in the manner prescribed in section 1684; or unless he shall have, for at least one year of continuous residence in such town, been possessed in his own right in fee of unincumbered real estate, situated in this state, of the value of five hundred dollars; and, if the title thereto shall be by deed, unless such deed shall have been recorded one year. See Appendix (XIV).

1918, S. 1616
1930
1933
1939

Sec. 1686 as amended by Sec. 558e. How gained by inhabitants of other towns. No inhabitant of any town in this state shall gain a legal settlement in any other town, unless he shall have been admitted in the manner prescribed in section 1684; or unless he shall have resided, subject to the provisions of this chapter, four years

Sec. 1685. Settlement lost by gaining another in another state; how reacquired. 5 C. 95. Under the statutes from 1768 to 1772 an inhabitant of another state could not gain a settlement by commorancy. 5 C. 584; 73 C. 47; Id., 161.

Sec. 1686. To accomplish a change of settlement under this statute, the person must have had the definite intention of abandoning his first domicile. 119 C. 382, 385, 390. Bastard takes settlement of mother whether acquired in her own right or by derivation. 1 R. 55; 2 C. 355; 5 C. 584; 6 C. 35; 9 C. 321; 12 C. 165; 18 C. 350; 19 C. 229; 51 C. 319; 88 C. 279. Minor child whether idiot or compos mentis, not emancipated, takes settlement of mother acquired after death of husband in her own right. 1 R. 196; 4 C. 373. Legitimate child takes settlement of father, if he has one; if not, that of mother. 5 D. 169; 3 C 600; 4 C. 114; Wife takes settlement of husband. 5 D. 169; 3 C 600; 5 C. 584; 51 C. 139. Marriage with a man having no settlement in this state does not change wife's settlement. 5 D. 169; 3 C. 600; 6 C. 45. If mother of bastard child has no settlement, place of birth is place of settlement of bastard. 2 C. 18. Child of slave where settled. 2 C. 355. Place of birth, prima facie, place of settlement. 3 C. 600; 4 C. 114; 5 C. 584; 51 C. 319; 73 C. 161; 100 C. 252. Such settlement, how superseded. 3 C. 600; 4 C. 114; 23 C. 44. A child not emancipated, after father's death from whom he had derived a settlement, takes the settlement of his mother acquired in her own right. 4 C. 373. Divorce from a marriage contract not void ab initio does not remit wife to her former settlement. 9 C. 321. Legitimate child born after father's death and after mother has gained new settlement by second marriage takes settlement of its father in preference to new settlement of mother. 19 C. 229. Bastard child having under laws of another state settlement by birth there, while mother has settlement in this state, does not by removing with mother to this state take her settlement. 20 C. 298. Agreement between mother and minor child works no emancipation preventing child from taking mother's settlement. 21 C. 543. The term "residence" means a fixed and permanent residence. 29 C. 74; 100 C. 253. Meaning of word "family." 31 C. 326. A person non compos may gain a settlement by commorancy. 31 C. 515; see 73 C. 47; 85 C. 55. Place of birth how proved. 39 C. 563. Mere commorancy does not give a settlement to a person not already an inhabitant of the state. 51 C. 319. Proof of marriage not sufficient to create a presumption of a change of a woman's settlement. 51 C. 319. Settlement of paupers upon creation of a new town. 54 C 34. A child born in another state, whose father is an alien but settles and resides in a town in this state, begins to acquire a settlement in such town by commorancy when he becomes of age. 54 C. 39. A minor born in another state, and going from a deaf and dumb asylum in this state to the town of A for two years and then to the town of B, was an "inhabitant" of A while residing therein. 54 C. 86. The word "inhabitant" is used in its ordinary sense of "resident." 68 C. 588; 73 C. 47. Settlement of wife and child follows that of husband and father. 85 C. 196. Continuous residence requires what: intent; declarations as evidence. 73 C. 738; 85 C. 55; Id., 196; 100 C. 253. Effect of support furnished by town whence pauper comes. 89 C. 659. Subsequent marriage of parents of child gives it settlement of father. 69 C. 303. Minor cannot change settlement. 71 C. 724. Time involuntarily spent in hospital for mental illness cannot be counted as a part of the 4 years. 92 C. 397. To acquire a settlement in a town by four years residence, the residence must be fixed, permanent, established residence or home, as distinguished from that which is transient merely. 123 C. 268-274. "Resided" as used here means a person must have a fixed, permanent, etablished residence or home, an actual not merely constructual residence and must have had an actual residence even though he have a technical domicile elsewhere. 128C. 188 (Sec. 291g-295g-298g)

continuously in such town, and shall have maintained himself and family during the whole of said period without becoming chargeable to such town, and without having received aid from any other town or the state. See Appendix (XV), (XVI).

Sec. 1687. How gained by family. If any person, having had a continuous residence in any town in this state for a part only of said period of four years, and having during such time maintained himself and family, without becoming chargeable, has died or shall die during such residence and before the expiration of said four years, leaving a widow or minor child or minor children, such widow, minor child or minor children, by continuing her or their residence in such town from the date of the death of such husband or father for the remaining part of said period of four years, without becoming chargeable to such town, shall gain a settlement therein. The settlement of each female at the time of her marriage to a man not having a settlement in this state shall continue to herself and her minor children until her husband shall have gained a settlement in his own right or until she and her minor children shall have gained a settlement under the provisions of this chapter. See Appendix (XVII), (XVIII), (XIX) and (XX). 1918, S. 1617

Sec. 1688. When not changed by marriage. When either of the parties to a marriage is, at the time of such marriage, or within one year prior thereto has been, a pauper, such marriage shall not change or effect the settlement of either or the liability of a town to support persons in existence at the time of the marriage. See Appendix (XXa), (XXb). 1918, S. 1618

Sec. 1689 as amended by Sec. 364g. Children of state paupers. Any child born while his mother is being maintained by the state as a state pauper, or born in any hospital or other benevolent institution while his mother is residing therein as a beneficiary thereof, or born in any other institution while his mother is being maintained therein at public expense, shall, if his mother has no settlement in any town in this state, have a legal settlement in the town wherein his mother is domiciled at the time of her admission to such hospital or institution. 1918, S. 1619 1929, C. 156 1943

Sec. 1690 as amended by Sec. 559e. Deportation. When any person who has a legal settlement in some other state shall come to reside in any town in this state, and shall become chargeable or make application for aid, the selectmen, or, in the case of a state pauper, the commissioner of welfare, may apply to any justice of the peace of the town wherein such person becomes chargeable or has made application for aid, or to any court having jurisdiction, and such justice or such court shall issue a warrant to either constable of such town, any state policeman or other proper officer, ordering him to transport such person to the place whence he came to this state, or to the place of his former residence, at the discretion of the selectmen or the commissioner of welfare. Such 1918, S. 1620 1921, C. 150 1930 1937, S. 361d 1939

Sec 1687. When aid is furnished not wholly to the husband but to the entire family, the town of settlement of wife is liable for supplies furnished wife and children. 35 C. 186.

Sec. 1688. By marriage the settlement of the husband is communicated to the wife unless one or both of them were, or within a year had been, paupers. 71 C. 724.

Sec. 1690. Proper form of action and rule of damages when pauper is legally sent into a town. 1 R. 262; 9 C. 275. A pauper before act of 1820 could not forcibly be removed to the town of his settlement. 3 C. 568. This proceeding is ex parte, a ministerial and not judicial proceeding. 47 C. 247; 65 C. 30.

Sec. 1690. Cited 119 C. 387.

officer shall execute such warrant, and the expense thereof, having first been audited and approved by the commissioner of welfare, shall be paid by the state. The word "selectmen", as used in this section, shall be construed to include any other officer or board, which, instead of the selectmen, lawfully exercises the powers and duties of the overseers of the poor.

1918, S. 1621

Sec. 1691. How persons settled in other towns are removed. When any person having a settlement in any town in this state shall go to reside in some other town, and before he shall have gained a settlement in the town to which he has gone, he or any of his family shall become chargeable, the selectmen, after giving notice to the town to which such pauper belongs to remove him and his family and on failure of such town to make such removal may apply to any justice of the peace, who shall issue his warrant, directed to either constable of the town where such pauper is, commanding such constable to remove such pauper to the town where he has his settlement. Such constable shall execute such warrant, and the lawful fees for the service of the same at the rate allowed for service of criminal process shall be paid by the town to which such pauper belongs.

1918, S. 1622

Sec. 1692. Forfeiture for bringing indigent person into a town. Each person who shall bring into and leave in, or cause to be brought into and left in, any town in this state, any indigent person who is not an inhabitant of such town, and who shall become chargeable within one year after having been so brought into and left in such town, shall, on demand of the selectmen thereof, remove such indigent person out of such town to the town from which he came; and, if such person so bringing and leaving, or causing to be brought and left, such indigent person in any town, in this state as aforesaid, shall on demand of the selectmen of such town, fail to remove such indigent person out of such town to the place from which he came, he shall forfeit and pay to the town in which such indigent person shall have been left, the sum of seventy dollars; and, if such indigent person shall have been so brought and left in such town, with the intent on the part of the person so bringing and leaving him, or causing him to be so brought and left, to make him chargeable or any expense to such town, such person so bringing and leaving, or causing to be so brought and left, such indigent person, shall forfeit and pay to the town, into which such person shall have been brought and left, the sum of one hundred dollars and all the expenses incurred by such town in the maintenance of such indigent person.

Sec. 1691. A ward gains no settlement by residence. 1 R. 131. Absence from home does not prevent settlement in new town unless settlement has been gained elsewhere. 1 R. 179. Settlement may be suspended but not lost until another is gained. 1 R. 232. A void marriage does not prevent a woman from gaining a settlement. 1 D. 212. How incorporation of new town affects a settlement. 3 D. 224; 3 C. 209, 475; 14 C. 192; 15 C. 246, 550; 18 C. 424; 480; 20 C. 378; 29 C. 500; 54 C. 34. Settlement may be gained by a person under an overseer. 3 C. 588. "Family" of pauper. 5 C. 384. What constitutes "notice." 7 C. 100; 38 C. 249. Meaning of the word "belongs." 19 C. 561. Period of imprisonment for crime does not constitute any portion of the successive residence requisite to acquisition of a legal settlement by commorancy. 19 C. 561; 38 C. 249; nor period of involuntary confinement in a hospital for mental illness. 92 C. 397. Period of temporary absence with intent to return is not to be excluded. 21 C. 101. Evidence admissible to prove support and residence. 23 C. 401. Selectmen of town of pauper's settlement may remove him back without process. 71 C. 724.

Sec. 1692. Proper form of declaration. 3 C. 1.

Sec. 2701. Bodies for anatomical purposes. The first selectman of any town, the mayor of any city, the sheriff, coroner or jailer of any county, the warden of the state prison, the master of any workhouse, superintendent or person in charge of any almshouse, asylum, hospital, morgue or other public institution which is supported, in whole or in part, at public expense, having in his possession or control the dead body of any person which, if not claimed as hereinafter provided, would have to be buried at public expense, or at the expense of any such institution, shall, immediately upon the death of such person, notify his relatives thereof, if known, and, if such relatives be not known, shall notify the person or persons bringing or committing him to such institution, and shall, within twenty-four hours from the time such body came into his possession or control, give notice thereof to the department of medicine of Yale University, and, upon the expiration of forty-eight hours after death, or after such body shall have come into his control, shall deliver such body to said department in such manner as it shall direct, and at its expense, if said department shall, at any time within one year, have given notice to any of said officials that such bodies would be needed for the purposes specified in section 2704; provided any such body shall not have been claimed by a relative, either by blood or marriage, or a legal representative of such deceased person, within said period of forty-eight hours. If any such body shall not be disposed of in either manner herein specified, it may be cremated or buried. When any person shall have in his possession or control the dead body of any person which would have to be buried at public expense or at the expense of any such institution, he shall, within forty-eight hours after such body shall have come into his possession or control, file, with the registrar of the town within which such death occurred, a certificate of death as provided in section 341, unless such certificate shall have been filed by an undertaker. Before any such body shall have been removed to said department of medicine, the official or person contemplating such removal shall secure a burial or transit permit which shall be delivered with the body to the official in charge of said department, who shall make return of such burial or transit permit in the manner provided in section 352. 1918, S. 1850, 1875, 2714, 2718 1919, C. 92 1921, C. 55 S. 1

Sec. 2707. Penalty. Any selectman, mayor, sheriff, coroner or jailer or the master of any almshouse, asylum, hospital, morgue or other public institution which is supported, in whole or in part, at public expense, who shall deliver a corpse, for the purpose of medical and surgical study, to any person in violation of any provision of this chapter, or any person who shall violate any provision of this chapter for which no other penalty is prescribed, or any person knowing that the deceased had relatives, either by blood or marriage, who desired to give the body a decent burial, or to whom the deceased had expressed a desire that his body should be buried, who shall wilfully neglect or refuse to give information thereof to the persons in charge of such body, having reasonable opportunity for so doing and having knowledge of the fact that such body may be delivered for medical or surgical purposes, shall be fined not more than five hundred dollars. 1918, S. 2722

Sec. 6260. Tramps. All transient persons who rove about from place to place begging, and all vagrants, living without labor or visible means of support, who stroll over the country without lawful occasion, shall be deemed tramps, and every tramp shall be punished by imprisonment in the workhouse not more than one year. Any act of beggary or vagrancy, by any person not a resident of this state, shall constitute prima facie evidence that such person is a tramp. 1918, S. 6409, 6410

1918, S. 6411

Sec. 6261. Wilful injury by tramp. Any tramp who shall wilfully and maliciously injure any person or shall be found carrying any firearms or other dangerous weapon shall be imprisoned in the State Prison not more than three years.

1918, S. 6412

Sec. 6262. Officer may arrest without warrant. Any sheriff, deputy sheriff, constable, special constable or policeman, upon view of any offense described in section 6260 or 6261, or on speedy information thereof, may, without warrant, apprehend the offender and take him before any competent authority.

1918, S. 6414

Sec. 6263. Exceptions. The provisions of sections 6260 to 6262, inclusive, shall not apply to any female, to any minor under the age of sixteen years, to any blind person or to any beggar roving within the limit of the town in which he resides.

1918, S. 6415

Sec. 6264. Vagrants and common drunkards. All idle persons without visible means of support, all beggars who go from door to door or beg in the highways, all who travel from place to place without any lawful occasion, all persons sleeping in outhouses or barns or in the open air, who can give no good account of themselves, all persons camping on the public highways without the consent of the selectmen of the town or on private property without the consent of the owner, all brawlers and fortune tellers and all common drunkards shall, upon conviction for a first offense, be imprisoned for not more than sixty days; and, upon a second conviction for the same offense, shall be imprisoned for not more than two hundred and forty days and, upon a third conviction for the same offense, shall be imprisoned for not more than three hundred and sixty days.

SUPPORT

By Towns

Sec. 1693. Each town to support its own paupers. All persons who have not estate sufficient for their support, and have no relations of sufficient ability who are obliged by law to support them, shall be provided for and supported at the expense of the town where they belong. Each town shall maintain and support all the poor inhabitants belonging to it, whether residing in it or in any other town in the state. 1918, S. 1623

Sec. 366g. Dependents of residents of Connecticut in the armed forces of the United States. No town, city or borough shall publish in any public report the name of any person receiving aid from any charity or welfare department in such town, city or borough who is the dependent of any resident of Connecticut serving in the armed forces of the United States during the present war. 1943

Sec. 154e. Municipal Advisory Welfare Boards. Except when otherwise provided by charter or other special act, the selectmen of any town or the mayor of any city may appoint an advisory welfare board of not more than seven residents of such town or city. The members of such board shall serve without compensation. 1939

Sec. 110e. Eligibility for town relief. No resident of a town shall be deemed to be ineligible to receive relief from such town by reason of having an interest in real property, provided such resident shall deliver to such town, through its board of selectmen, an agreement executed and acknowledged in the form and manner required for the transfer of an interest in real property to reimburse such town for all amounts so paid to such resident or expended by such town on his or her behalf for maintenance, care or support, with interest at the rate of four per cent per annum. Such agreement shall prescribe by metes and bounds, by street number and lot number, if such there be, the real property in which such beneficiary has an interest and shall be recorded in the land records of the town or towns in which such real property is located, and shall constitute a lien on such real property which may, at any time during which such amounts remain unpaid, be foreclosed in an action brought by such town in a court of competent jurisdiction, and such lien shall have precedence over all subsequently recorded incumbrances, except tax liens or other municipal liens of such town and except liens to the commissioner of welfare of the state for old age assistance. Such liens shall be released by such town by its board of selectmen upon payment of the amount, plus interest, by it secured. The board of selectmen of such town are authorized to adjust, remit or cancel, in whole or in part, any 1939

Sec. 1693 Meaning of the word "belong." 3 C. 467; see 69 C. 4. Town from which a pauper is sent to jail is liable for support furnished by keeper of jail which is located in another town. 5. C. 185. Town liable for support of slave. 8 C. 393. What constitutes "sufficient estate" for support; 52 C. 200; valueless equitable estate is not; 71 C. 724; income of ten dollars a week may not be. 76 C. 152 See 128 C. 185-195.

Sec. 1693. See note to Ch. 28, and to Sec. 1684. See note to Sec. 1686.

Sec. 1693. Cited 127 C. 59.

interest accruing under such lien provided such procedure shall be deemed necessary and beneficial to such town by such selectmen and shall be so voted at a meeting of such selectmen and a record of such vote entered in the minutes of the meetings of such board. Such board of selectmen are also authorized to release such lien without payment of the amount secured thereby, in whole or in part, provided such procedure shall be deemed necessary and beneficial to the town by such selectmen and shall be so voted at a meeting of such selectmen and a record of such vote entered in the minutes of the meetings of such board. Upon the sale, after foreclosure, of such real estate, or any part thereof, and after complete satisfaction to such town of the amount secured by such lien, plus interest, together with all costs and expenses, any balance remaining shall be paid over by such selectmen to such resident, or if he be deceased, to his estate. The board of selectmen of such town is authorized to execute, in behalf of the town, all releases, deeds and any other instruments necessary to carry out the provisions of this act. Upon written request therefor, the selectmen shall forthwith issue to the applicant, a statement of the amount due to be paid to cancel such lien. No such lien shall be valid and enforceable after the expiration of fifteen years from the date it was recorded. See Appendix (XXI).

939 **Sec. 111e. Lien against property.** If any person receiving such aid shall neglect or refuse to sign such agreement, the selectmen are authorized to file a lien against such property to secure the disbursements of such town made prior to filing such lien, and any disbursements which may thereafter be made, and such lien from the time of filing shall have the same force and effect and may be foreclosed in the same manner as any agreement provided for in section 110e.

945 **Sec. 96h. Reimbursement of municipalities for relief.** Any person who receives relief from any town or municipality of this state shall be liable to reimburse said town or municipality for any moneys or relief received. Section 6005 shall not be a bar to a recovery under this section.

918. S.1624 **Sec. 1694. Paupers supported in almshouses; not by contract.** It shall be unlawful for any town, or the selectmen or agent thereof, to make any contract for the support of any person liable to be supported by such town. All persons supported by any town shall be supported in an almshouse or other place or places provided by such town, but nothing in this section shall be construed to prevent towns from giving temporary aid to any person in need of partial support, nor to prevent any two adjoining towns from uniting for the support of their paupers in an almshouse or other place or places provided by such town within the limits of either of such towns.

918. S. 1625 **Sec. 1695. Medical treatment.** Each town shall provide medical treatment by one or more competent physicians for all persons liable to be supported by such town when such persons are in need thereof; but no town shall provide such medical treatment by contract by auction to the lowest bidder.

918. S. 1626 **Sec. 1696. Parent neglecting to support child to be deemed a pauper.** The parent of any minor child, who shall neglect or refuse to provide for his support, and abandon him to be supported as a pauper, shall thereupon be deemed to be a pauper, and as such shall be subject to all the provisions of this and the preceding chapter.

Sec. 1696. This statute constitutional, and parent may be taken to the poorhouse as a pauper. 35 C. 538.

Sec. 1697. Overseers of the poor. Reimbursement by paupers and mentally ill. The selectmen of each town shall be overseers of the poor, and shall, at the expense of the town, provide all articles necessary for the subsistence of all paupers belonging to it. When any person has been or shall be supported, in whole or in part, by the state or any town, or any sum has been or shall be paid by the state or any town for the care, treatment and support of a mentally ill, epileptic or feeble-minded person, such person shall be liable to pay for such support a reasonable amount or to reimburse such sum, and, on his failure so to do, his executor, administrator or conservator shall be so liable, provided he shall have sufficient assets in his hands belonging to the estate of such person; and such amount may be recovered in a civil action, and the statute of limitations shall not be pleaded therein. 1918, S. 1627

Sec. 1698. New statute Sec. 383h. Disclosure by person applying for support. No person shall receive support from any town until he has made to the selectmen a full disclosure of his financial condition, and, if requested by them, has signed and sworn to the same. Any person who makes a false statement as to such financial condition or in any way deceives such selectmen in relation thereto shall be subject to the penalty provided in section 1700 and shall pay just damages to the town if it has sustained loss as a result of such deceit. 1918, S. 1628, 1630 1945

Sec. 1699. Disclosure of person controlling property. Each person having in his possession or control any property of any person applying for or receiving such support, or being indebted to him, or having knowledge of any property belonging to him, and any officer having control of the books and accounts of any corporation which has possession or control of any property belonging to any person applying for or receiving such support or is indebted to him, shall, upon presentation by such selectmen or any of them or their attorney of a certificate signed by them or him stating that such person has applied for or is receiving support from the town, make full disclosure to such selectmen or attorney as to any such property or indebtedness. Any person who shall violate any of the provisions of this section shall be fined not more than one hundred dollars and shall pay just damages to the town injured thereby. 1918, S. 1629, 1630

Sec. 1700. Penalty for fraud or deception. Any person who shall defraud or assist in defrauding any town as to the support of its paupers, or shall deceive the selectmen thereof in obtaining support for any person not entitled to the same, shall be fined not more than five hundred dollars or imprisoned not more than one year or both. 1918, S. 1630

Sec. 1701. Paupers subject to selectmen. Claims for supplies. Paupers shall be liable to be removed to such places as the selectmen may lawfully designate, to be supported as the town or se- 1918, S. 1631

Sec. 1697. Selectmen have power to settle an account for supplies to pauper and such settlement is evidence of pauper's settlement. 29 C. 113. Powers of selectmen to restrain pauper. 34 C. 132; 71 C. 724. They cannot collect and discharge debts of paupers. 38 C. 191. One selectman has no power to submit questions of settlement to arbitration. 54 C. 34.

Sec. 1701. No recovery from town for support of person if such person has property. 4 C. 553; 5 C. 244; 34 C. 264; 66 C. 139. Notice to selectmen of the town where the pauper resides is indispensable. 6 C. 72. What constitutes "notice". 18 C. 189; 43 C. 53. Selectmen not necessarily confined in the exercises of their powers to the limits of their own towns. 71 C. 724.

Sec. 1701. Sufficiency of notice to town of support of pauper. Disclaiming liability. 112 C. 406. 407.

lectmen may direct, and shall be subject to the orders of the selectmen, and no individual shall have any claim against a town for supplies or assistance furnished to a pauper against the express directions of the selectmen, nor before he has given notice of the condition of such pauper to one of the selectmen of the town where the pauper resides.

1918, S. 1632
1929, C. 284, S. 3
1930
1931
1935, S. 663c
1941

Sec. 1702 as amended by Sec. 663c and Sec. 244f. Support of non-resident paupers; notice. When a person not an inhabitant of the town in which he resides shall become poor and unable to support himself, the selectmen of such town shall furnish him with necessary support as soon as his condition shall come to their knowledge, and each selectman neglecting such duty shall be fined seven dollars. The selectmen of each town to which a pauper belonging to another town is chargeable shall give notice of his condition to the town to which such pauper belongs, within fifteen days after they shall know to what town he belongs, and a letter deposited in the postoffice, postage paid, stating the name of the pauper, and that he is chargeable, signed by a selectman of the town where he resides, directed to the selectmen of the town where he belongs, shall be sufficient evidence that notice was given at the time that such letter would, in the usual course of the mail, reach the selectmen to whom it was directed; and actual notice in writing, sent in any other mode, shall be sufficient; and, when the selectmen shall have the knowledge of the town where such pauper belongs, such town shall not be liable for any expense for the time during which there was a neglect to give such notice; and such town shall not be liable to pay more than the actual disbursements of the town which rendered the aid, nor at a greater rate than seven dollars a week for persons over fourteen years of age, six dollars a week for persons between six and fourteen years of age, and four dollars a week for persons less than six years of age; provided, when such persons shall be sick and receive medical attendance such town shall not be liable to pay more than the actual disbursements of the town which rendered the aid, nor at a greater rate than fourteen dollars per week, nor if cared for or supported at a public hospital, the actual disbursements of the town which rendered the aid. Any hospital receiving state aid shall charge a uniform rate for paupers receiving medical attendance or being supported and cared for in such hospital under the provisions of this section. In case of dispute between towns as to liability under the provisions of this section, or as to the amount of such liability, the dispute may be referred to the commissioner of welfare after written agreement between the respective towns acting by their selectmen. Said commissioner of welfare, by him-

Sec. 1702. Omission to aver notice cured by verdict. 1 D. 183. What amounts to a waiver of notice. 3 C. 553, 558. Who are paupers. 3 C. 553; 4 C. 553; 5 C. 244; 8 C. 393; 14 C. 394; 16 C. 431; 21 C. 101; 34 C 264; 51 C 491; 52 C 158. Owner of valueless equity may be pauper; 71 C. 724; so one who has income of ten dollars a week. 76 C. 152. When no recovery for supplies furnished. 3 C. 568. Express request or promise need not be shown. 4 C. 209. Evidence of "notice" admissible. 7 C. 100. What is sufficient "notice." 18 C. 189; 33 C. 141; 38 C. 249; 43 C. 53, 212; 44 C. 210; 46 C. 281; 51 C. 490. Object of statute to provide for immediate relief. 28 C. 253. Any one selectman is empowered to furnish relief and town is liable upon the request of one. 45 C. 329. Effect of want of actual knowledge of town of settlement. 75 C. 515. Nature of notice; limitation of liability; family may be treated as a unit. 76 C. 152. Contents of notice. 85 C. 202.

Sec. 1702. (474b). Liability of town for care of pauper. 112 C 405, 406 See note to Ch. 28. History of this statute reviewed. Its provisions do not impose any express limitations upon the amount which the town rendering aid may expend, or be charged therefor. 119 C. 148-155. 129 C. 574. C. 128 C. 185-195.

self or a duly appointed representative, shall hear the parties to the dispute, after written notice to both parties. The decision of said commissioner or his representative, after such hearing, shall be final and conclusive. At such hearings before the commissioner or his representative parties shall have the right of subpoena, to appear by counsel and to present such witnesses as they shall desire.

Sec. 1703 as amended by Sec. 365g. Burial. When a pauper not an inhabitant of the town where he resides, or a state pauper, shall die, the selectmen of such town shall give to such pauper a decent burial, which shall include a stained wood or crepe-covered casket, suitably trimmed and inclosed in an outside pine box; and for the expense thereof, the town where such pauper belongs or, if a state pauper, the state, shall pay a sum not exceeding one hundred dollars to the town burying such pauper. Any person burying or causing to be buried any such pauper in violation of the provisions of this section shall be fined not less than twenty-five dollars. This section shall not affect the provisions of section 2701. 1918, S. 1633 1919, C. 122 1927, C. 221 1943

Sec. 1704. Expense for paupers recoverable from other towns. Each town incurring any necessary expense, pursuant to the pro-provisions of sections 1702 and 1703, for a pauper belonging to another town, may recover it from such town, provided the town incurring such expense shall render to the town liable therefor an itemized statement of the expense so incurred, once in six months during the period that such expense is being incurred. 1918, S. 1634

Sec. 1705. When selectmen may sell property of dead pauper. When any person supported at the expense of any town shall die, leaving personal estate not exceeding fifty dollars in value, the selectmen of such town may sell it for the use of such town, unless some person interested in such estate shall take out administration thereon within ninety days after such death. 1918, S. 1635

Sec. 1706. Almshouses; establishment; removal of mentally ill from. Any town may establish one or more almshouses for the admission of poor persons, and adopt by-laws for their management, which may at any time be repealed by the superior court. The selectmen, person, committee or board of any town, having authority to provide for the poor therein, shall cause all persons who are supported in any almshouse or institution in such town, other than an institution maintained by the state or county, to be 1918, S. 1637, 1640 1919, C. 301, S. 2

See Sec 2628

Sec 1703. See note to Sec. 1702.

Sec. 1704. Selectmen have power to settle an account presented by another town. 29 C. 113. A judgment against a town for supplies furnished a pauper is binding only on the parties to the suit and their privies. 47 C. 237. Party not estopped by an admission made in ignorance of his rights. 50 C. 84. Evidence of prior judgment against the plaintiffs inadmissible. 51 C. 490.

Sec. 1704. See note to Sec. 1702.

Sec. 1704. When a minor son marries, he becomes emancipated, and no longer takes the settlement of his father by derivation, and the children of the minor son do not take the settlement of their grandparent. Accordingly, a town wherein the father of a married minor son acquired a settlement after the marriage of the son is not bound (*7 Conn. Sup. 239) to reimburse another town for expense incurred for the support of the pauper children of said minor son. (*7 Conn. Sup. 238.)

Sec. 1706. Keeper of poorhouse may restrain but not barbarously treat inmates. 34 C. 132. Poorhouses are exempt from taxation although located in another town; effect of excess of land whereon crops are raised and sold at a profit to outsiders. 91 C. 592.

examined by a physician at least once in six months. Such authority, upon ascertaining that any feeble-minded or mentally ill person is being supported in an almshouse, shall forthwith institute proceedings for the commitment of such person to an institution for the mentally ill or for the feeble-minded.

1918, S. 1641
1919, C. 301, S. 2
1930
1935, S. 664c
1941

Sec. 1707 as amended by Sec. 664c and Sec. 245f and 246f. Examination by physician. Each physician making the examination provided for by Section 1706 shall file with the public welfare council a sworn statement during the first week of June and December in each year, showing that the examinations required by the provisions of said section has been made, the almshouse or other institution where such examination was conducted, the name, age, date of admission of any mentally ill or feeble-minded person found therein, if any, and a statement concerning the mental and physical condition of such person. Upon the failure of any town to cause such examination and report to be made, the public welfare council, as soon as practicable after the expiration of the time for making the same, shall cause such examination to be made by a physician to be designated by said public welfare council, and the expense thereof shall be paid by such town, and the attorney general may collect the cost thereof in a civil action in the name of the state in the superior court of the county wherein such town is situated. Said public welfare council may remove to a suitable state institution any mentally ill or feeble-minded person detained in an almshouse. The proceedings for commitment of such person to an institution for the care of the mentally ill or the feeble-minded shall be brought to the probate court in the district wherein such person resides and shall be conducted in the manner prescribed by statute for the commitment of the mentally ill or feeble-minded, and the costs thereof and three dollars per week for the support of any person committed shall be paid to the state by the town in which such person resides.

1918, S. 1638
1930
1935

Sec. 1708 as amended by Sec. 655c. Support of paupers in their own or the next town. All paupers shall be supported at some place or places within the town to which they belong or in a town adjoining that to which they belong; provided, if there is no suitable place in the town to which they belong, or in an adjoining town, they may be supported in any suitable place within the county in which they belong.

By State

1933
1935

Sec. 667c. Interstate transportation. The commissioner of welfare is authorized to enter into reciprocal agreements with other states regarding the interstate transportation of poor and indigent persons and to arrange with the selectmen for the acceptance and support of persons receiving public aid in other states in accordance with the terms of such reciprocal agreements.

1918, S. 1642
1919, C. 345, S. 1
1921, C. 349
1930
1935

Sec. 1710 as amended by Sec. 668c. Commissioner of welfare to provide support. All persons who have no settlement in any town in this state, and all indigent persons discharged from the State Prison or a county jail, or from the state or a county workhouse, who were not inhabitants of any town in this state at the time of their commitment to such prison, jail or workhouse, and have no relatives in this state liable and able to support them, to-

Sec. 1710. See note to Sec. 1684.
Sec. 1710. Cited. 127 C. 59.

gether with all children born of such persons while serving out a sentence in such prison, jail or workhouse, shall, if in need of relief, be provided for by the commissioner of welfare as state paupers at the expense of the state.

Sec. 1711 as amended by Sec. 367g. Settlement lost in four years. Any person having a settlement in any town in this state, who has, or who shall have resided outside of said town for a period of four consecutive years, shall be deemed to have lost his settlement therein. The provisions of this section shall apply to any person having a pauper status whether such status was fixed prior to or after the effective date of this act October 1, 1943, but not to any person whose absence from the town of settlement is caused by service in the armed forces of the United States or by confinement in any institution. See Appendix (XXII), (XXIII). 1918, S. 1636 1929, C. 104 1941, S. 247 1943

Sec. 1712. Status of certain state paupers. The status as a pauper of any person who had, on October 1, 1907, received relief or support as a pauper at the expense of the state for a period of less than six months preceding said date shall be and remain the same as before said date. Any such person shall, if needing relief, be provided for as prescribed in sections 2493 and 2496, Revision of 1902, and chapter 124, Public Acts 1903, which are continued in force for said purpose only. 1918, S. 1643

Sec. 1713 as amended by Sec. 561e. Reimbursement of towns. Each town, through its selectmen, shall, unless such support shall be otherwise provided for by the state, furnish necessary support to all state paupers therein or sent from such town to any hospital in this state, and shall be reimbursed by the state therefor. Within five days after such selectmen shall commence to provide relief or support to any such pauper, one of them shall forward to the commissioner of welfare a statement containing the facts, as they may be known by the selectmen, giving the name of such person, the time he came into the state and into the town, the place from which he came, the cost of the relief furnished to him, the time when such relief was first administered and any other information required, in the form prescribed by said commissioner and on blanks furnished by him, which statement shall be signed and sworn to by one of such selectmen. At the end of each quarter within which such relief or support has been provided under the provisions of this section or when otherwise required by said commissioner, one of the selectmen of such town shall send to said commissioner, in the form prescribed by said commissioner, a statement of the cost to such town of such relief during such quarter, which statement shall be signed and sworn to by such selectmen. The word "selectmen", as used in this section, shall be construed to include any other officer or board which, instead of the selectmen, lawfully exercises the powers and duties of overseers of the poor, and the word "selectmen" shall include any such officer or a member of any such board. The commissioner of welfare, if satisfied that the statements are substantially true and that the disbursements are reasonable, shall certify them for payment. If not satisfied he may reject such claim, and such town may present the same for further investigation to such committee as the general assembly may appoint therefor. If such committee determine 1918, S. 1644, 1645 1919, C. 345, S. 1 1921, C. 29, 349 1930 1935, S. 668c 1939

Sec. 1711. Cited 127 C. 59.
Sec. 1712. Who are state paupers under this section. 50 C. 554; 58 C. 277.
Sec. 1712. 116 C. 537, 545. City of Bridgeport vs. Town of Greenwich.
Sec. 1713. Cited 114 C. 235. See note to Ch. 28.
Sec. 1713. Cited 127 C. 59.

in favor of such claim, it shall then be paid, together with the cost of travel and attendance of necessary witnesses and a sum not more than twenty-five dollars for counsel fees.

1918, S. 1646
1919, C. 345, S. 1
1921, C. 349
1930
1935

Sec. 1714 as amended by Sec. 668c. Commissioner of welfare may contract for support. The commissioner of welfare may from time to time contract with any person for not more than five years for the relief and support of such indigent persons at a rate not exceeding the sum specified in section 1702, and the contractor shall be entitled to receive at the end of every six months the amount then due on such contract; and the commissioner of welfare may remove any state pauper from any town and place him with such contractor. The comptroller shall adjust any demands arising under such contract and draw orders on the state treasurer for the payment thereof.

1918, S. 1647
1648
1919, C. 345, S. 1
1921, C. 349
1930
1935

Sec. 1715 as amended by Sec. 668c. Commissioner of welfare may contract with towns. Bond. The commissioner of welfare may contract with any town for the support of state paupers for such time and on such terms as he may deem expedient and for the best interests of the state; the state paupers may be removed to such place and supported as the commissioner of welfare shall direct, and shall be subject to his orders; and the commissioner of welfare is authorized to detain any such pauper during the time he is making an investigation for the purpose of ascertaining whether such pauper shall be deported by the United States or other authorities. When the commissioner of welfare shall contract as provided in this section, he shall take of such contractor a sufficient bond, with surety, conditioned for the faithful performance of such contract and that such paupers shall be treated with humanity and shall have a sufficient supply of food and decent and comfortable clothing and all necessary medical aid and attendance.

1918, S. 1649
1919, C. 243
1921, C. 255
1923, C. 69
1930
1935, S. 668c
1939, S. 562e
1941, S. 248f
1945

Sec. 1716. New statute, Sec. 385h. Care of crippled children. Whenever there shall be found in any town in this state any child of sound mind who is a cripple or who is afflicted with poliomyelitis, or any non-contagious crippling disease, and whose parents or grandparents are unable to pay the full cost of treating such disease, the selectmen of such town may make application to the court of probate for the district in which such town is situated for the admission of such child to The Newington Home for Crippled Children, located at Newington, and, if, upon inquiry, such court shall find that such child is a proper subject to be received into said home, it may order such selectmen to take such child to said home to be kept and supported for such length of time as such court may deem proper, provided said corporation shall not be required to receive any child so committed unless it can conveniently receive and care for such child at the time of commitment, and provided said corporation shall have the right to return to the town in which such child belongs any child so taken who shall be pronounced by the physicians employed by said corporation, after examination, to be unfit for retention, or who, by reason of improvement in its condition or completion of its treatment or training, ought not to be further retained. Such selectmen shall not take or commit any such child to said home until the order of such court shall have been approved by the commissioner of welfare, and no child shall be received by said home to be supported in any manner by the state without the approval of the commissioner of welfare. There shall be taxed by the comptroller nine dollars a week for each week such child shall remain at said home or under

Sec. 1716. 129 C. 206.

the control of said corporation, and said corporation shall make its bill therefor quarterly and present it to the commissioner of welfare, upon whose approval it shall be paid by the state, and the balance shall be paid by the parents or grandparents of such child, or, if such parents or grandparents are unable to pay such balance, it shall be paid by the town in which such child belongs; provided the sum to be paid by such parents or grandparents or by such town shall not exceed two dollars a week, which shall be in addition to the amount paid by the state.

By Relatives

Sec. 1717 as amended by Sec. 563e. What relatives to furnish support. When any person shall become poor and unable to support himself or herself and family, and shall have a husband or wife, father or mother, grandfather or grandmother, children or grandchildren who are able to provide such support, it shall be provided by them; and, if they shall neglect to provide it, the commissioner of welfare, the selectmen of the town, the husband or wife or any of such relatives or the conservator of such poor person, may bring a complaint therefor to the superior court of the county in which such poor person resides, against such husband or wife or any of such relatives able to provide; which court may order the defendant or defendants to contribute such support, from the time of serving such complaint, such sum as may be reasonable and necessary and may issue execution monthly or quarterly for the same, which, when collected, shall be paid to said commissioner of welfare, selectmen, conservator, husband or wife or the person needing support, for that purpose, as the court may order. When such complaint shall be brought by the commissioner of welfare, selectmen, conservator, husband or wife, the court, or any judge

1918, S. 1650
1921, C. 114
1930
1935, S. 669c
1939

Sec. 1717. Relatives by affinity not liable. K. 155; 1 R. 250; 3 C. 553. Relatives not liable for past expenses. 3 C. 553; 7 C. 57; 32 C 142. Action at common law dos not lie against relatives. 1 R. 60; 3 C 507. Not responsible to a town in which the pauper has no settlement. 3 C. 553. If supplies are furnished parent at request of children, they are liable in assumpsit. 32 C. 142. Not necessary for town to exhaust the remedies provided by this statute before taking a parent or pauper into custody under section 1696. 35 C. 538. A wife whose husband neglects to support her may bring an action against him for contribution towards her maintenance. 72 C. 157. Nature of remedy; costs; 73 C. 607; "neglect to provide," is condition precedent to action. 78 C. 650. Place of support. 73 C. 607; 82 C. 611. Measure of support. 78 C. 650; 82 C. 611; 103 C. 6. When state should be a party plaintiff. Ibid. A minor may properly be made a defendant and judgment rendered against him. Ib. 3. A proceeding under this statute is entirely different from a criminal prosecution for non-support. 91 C. 10. Application to question of dependency of mother on minor son under Workmen's Compensation Act. 105 C 420. Wife may maintain action in this state for support by husband, though neither resides here, if property of husband is subject to the jurisdiction of the courts of this state. 111 C. 128. In a direct equitable action by a wife against her husband, the measure of the husband's duty is that support to which the wife is entitled by virtue of the marriage contract. 114 C. 579, 580. Cited 117 C. 284. In a proceeding under this statute, it is necessary for the plaintiff to meet its terms in order to lay a basis for recovery. History of the statute reviewed. 123 C. 338-343. Continued: where relative has been providing support of an agreed amount, he is not liable under this section unless court finds amount insufficient and a demand for increase duly made. 124 C. 518, 520, 521.

Sec. 1717. Cited 127 C. 506. "Neglect" in this statute "imports" something more than mere omission, something more than failure without fault. It imports an omission accompanied by some kind of culpability in the conduct of the party. 128 C. 185-195.

thereof in vacation, may require the defendant or defendants to become bound, with sufficient surety, to the state, town, conservator, husband or wife, to abide such judgment as may be rendered on such complaint. Failure of the defendant or defendants to obey any order made hereunder, after execution shall have been issued and returned unsatisfied, may be punished as contempt of court and the costs of commitment of any person imprisoned therefor shall be paid by the state as in criminal cases.

1918, S. 1651
1921, C. 177
1930
1935

Sec. 1718 as amended by Sec. 669c. Support of surviving husband or wife by heirs. The estate of any person dying without issue, leaving a husband or wife surviving, shall be liable for the support of such surviving spouse until remarriage if such survivor shall become poor and there shall be no person or persons of sufficient ability, under the provisions of section 1717, to provide such support. Each person to whom any such estate shall be given or descend shall, to an amount equal to the estate so received by him, be liable to contribute to such support, and, if he shall neglect to provide such support, and sufficient support can not be obtained from any of the persons liable under the provisions of said section 1717, then such survivor, the commissioner of welfare, the selectmen of the town in which such survivor resides, or any person liable under the provisions of said section 1717 to contribute to such support but unable to wholly furnish the same, or any person other than the defendant or defendants, liable under this section to contribute to such support, may bring a complaint to the superior court in the county in which such survivor resides, against all or any of the persons, except the plaintiff, to whom any of such estate shall have been given or shall have descended. Said court may order the defendant or defendants to contribute to such support from the time of serving such complaint such sum, not exceeding the value of the property received by such defendant or defendants from the estate of such deceased, as may be reasonable and necessary, and may issue execution monthly or quarterly for the same, which, when collected, shall be paid to such survivor, said commissioner of welfare or such selectmen, for such support, as the court may order. When such complaint shall be brought by the survivor, commissioner of welfare or selectmen, the court, or any judge thereof in vacation, may require the defendant or defendants to become bound with sufficient surety to such survivor, the state or town to abide such judgment as may be rendered on such complaint.

1918, S. 1652
1921, C. 113
1930
1935

Sec. 1719 as amended by Sec. 669c. Relief from support. Any defendant in action brought under either section 1717 or section 1718 may, at any time thereafter, prefer his complaint to said court against such survivor, the commissioner of welfare, selectmen or other persons, plaintiffs in such action, to be relieved from such contribution; and, if said court shall find that he, being liable under said section 1717, is required to contribute to an amount beyond his ability or beyond what is requisite for such support, or that he, being liable under said section 1718, is required to contribute beyond the amount received by him from the estate of such deceased or beyond what is requisite for such support, it may again direct how much, if anything, he shall contribute therefor. If the contribution of the person or persons liable to support such poor person, as fixed by the court, be insufficient for such support, the remainder of such support shall be furnished by the state or such town.

Sec. 1718. Cited 127 C. 506.
Sec. 1719. Cited 127 C. 506.

Selectmen

Sec. 304. Contract for support of mentally ill poor. The selectmen of any town may contract in its behalf with the officers of the retreat for the mentally ill at Hartford for the support of any mentally ill poor person belonging to such town. 1918, S. 294

Sec. 308. Removal of overseer. Any person under an overseer may apply to any judge of the superior court to have the overseer removed; and the judge may issue an order citing the town in which the appointment was made to appear at some place designated and show cause why the application should not be granted, which shall be served with such application at least six days before the day of hearing; and, if the judge shall be of the opinion that the overseer ought to be removed, he shall remove him; and costs may be taxed in favor of or against either or neither party, and execution issued therefor by the clerk of the superior court in the county, which execution, together with the application, finding and order of the judge thereon, shall be returned to such clerk. 1918, S. 298

Sec. 1068c. Selectmen to give permittees lists of drinkers receiving town aid. The selectmen of every town shall, annually or oftener, at their discretion, prepare a list of persons known to use alcoholic liquor to whom town aid for support has been furnished within the six months last past, and lodge a copy of such list with each person holding a permit to sell such alcoholic liquor in such town, forbidding the gift, sale or delivery of such liquor to any person whose name appears on such list, or to any member of his legal family except upon a physician's prescription indorsed by a member of the board of selectmen in such town. Every permittee, who, by himself, his servant or agent, shall sell, give, exchange or deliver alcoholic liquor to the persons described in this section after receiving such notice from such selectmen shall be subject to the penalties of section 1083c. 1933

Sec. 1070c. Liquors not to be sent to certain persons or their abodes. Every person who, except upon the written order of a practicing physician, shall carry or convey to any person or to his abode any alcoholic liquor, the sale or gift of which to such person has been forbidden by section 1068c or 1069c, or who shall deliver to any person any such liquor for the use of any person to whom such sale or gift has been forbidden by either of said sections, shall be subject to the penalties of section 1083c. 1933

Sec. 305. Being in derogation of common right this statute is to be strictly construed. 3 D. 131; 1 C. 79; 5 C. 357. Selectmen making appointment maliciously and without cause are liable in damages. 2 R. 214. Damages will be implied in such case, but not if appointment is invalid. 1 C. 317. An appointment without time limitation is void. 1 C. 79. An appointment over a non-resident is invalid. 3 C. 591. One under overseer is sui juris, except as to contracts Ib. 5 C. 362. The disability as to contracts is general. 13 C. 247. Powers of selectmen as "overseers of the poor" differ essentially from those overseers appointed. 38 C. 192. Cited 84 C. 680.

Sec. 306. A deed from a ward to his overseer is void. 5 C. 257. A ward may, without the consent of his overseer, appoint appraisers of his land, on execution levied. 5 C. 357.

Ch. 151. When the liquor control commission has ground for believing that an applicant, though himself a suitable person may be an unsuitable permittee through the domination of another who is unsuitable, it can deny the application. 122 C. 443-447.

1933
1935

Sec. 1072c. Inducing minors to procure liquor. Any person who shall, for any purpose, induce any minor to procure alcoholic liquor from any person permitted to sell the same shall be suject to the penalties prescribed in section 1083c.

1933, S. 1073c
1939

Sec. 1073c as amended by Sec. 978e. Loitering. Every permittee who, by himself, his servant or agent, shall permit any minor or any female (except she be the proprietor or an employee of the proprietor), or any person to whom the sale or gift of alcoholic liquor has been forbidden according to law by the selectmen, either because of the complaint of some relative of such person or because such person or some member of his legal family had received town aid for support within the time specified by law, to loiter on his premises where such liquor is kept for sale, or allow any minor, unless accompanied by his parent or guardian to be in any room where alcoholic liquor is sold at any bar, shall be subject to the penalties of section 1083c.

1933
1935

Sec. 1083c. Penalties. Any person convicted of a violation of any provision of this chapter, for which a specified penalty is not imposed shall, for each offense, be fined not more than one thousand dollars or imprisoned not more than one year or both.

Electors

1918, S. 535, 536
1921, C. 305, S. 1, 2

Sec. 559. Who may be admitted. Each citizen of the United States who shall have attained the age of twenty-one years, who shall have resided in the United States for the five years next preceding, in this state for one year next preceding, and in the town in which he may offer himself to be admitted to the privileges of an elector at least six months next preceding, the time he may so offer himself, and who, at the time of offering himself, shall be able to read in the English language any article of the constitution or any section of the statutes of the state, and shall sustain a good moral character, shall, on taking the oath prescribed by law, be an elector. Any new or additional qualification herein imposed shall not be required of any person who has heretofore been admitted to the privileges of an elector in this state. No person shall be deemed to sustain a good moral character, in accordance with the provisions of section two of article six of the constitution, or shall be admitted to the privileges of an elector, who has, during his minority, been convicted three or more times of any offense punishable by the laws of this state with imprisonment or with fine and imprisonment; or who has, within twelve months before reaching his majority, been convicted of any offense mentioned in section three of article six of the constitution; or who, at the time of reaching his majority, was serving a term in jail or prison for any such offense. No idiot or mentally ill person shall be admitted as an elector.

1918, S. 537
1921, C. 305, S. 3

Sec. 560. Blind persons. No person, otherwise qualified to be an elector in this state, shall be held to be ineligible by reason of blindness or defective sight; but, if the applicant shall be able to write any article of the constitution or any section of the statutes of this state from dictation or read the same in raised print or the point characters used by the blind, it shall be sufficient evidence of his ability to read as required by law.

Sec. 565 as amended by Sec. 136g. Restoration of names to registry list. Each person who shall have resided in this state one year and in any municipality six months next preceding a general election, and who has been admitted *** previously as an elector in such municipality shall, unless he shall have forfeited the privileges of an elector by reason of conviction of crime, be entitled to have his name restored to the registry list and, after such restoration to vote therein. No person shall be deemed to have lost his residence in any municipality by reason of his absence therefrom in the service of this state or of the United States, including service in the armed forces or of their auxiliaries, nor shall the spouse of any such person be deemed to have lost his residence in any municipality by reason of such absence therefrom; provided, unless such person shall make application for continuance on the registry list not later than seventeen days before each state election, he shall not be entitled to vote therein and the registrars shall remove his name from such list; and provided nothing in this section shall be construed to require any person in the service of the armed forces of the United States or any auxiliary thereto to file a request for continuance of his name on the registry list. 1918, S. 543 1921, C. 305 S. 9 1943

Sec. 584. Voting residence of pauper. If any person shall be supported in any town as a pauper by the payment to such town of any weekly or other regular sum of money from any other town, his legal residence for purposes of registration or admission as an elector shall be in the town to which he is chargeable. 1918, S. 567 1921, C. 305, S. 32

Sec. 164c. Electors residing in state institutions. No person shall be deemed to have lost his residence in any town by reason of his absence therefrom in any institution or home maintained by the state. No person who resides in any institution or home maintained by the state shall be admitted as an elector in the town in which such institution or home is located, unless he shall prove to the satisfaction of the board of registration in such town that he is a permanent resident of such institution or home. 1933

Taxation

1918, S. 1160
1919, C. 159, C. 336, S. 3
1921, C. 109
1923, C. 251 S. 23
1925, C. 245, S. 1
1927, C. 13 C. 319, S. 1
1929, C. 24, S. 1, C. 246
1930
1933, S. 368c
1937, S. 324e 325e, 326e
1941

Sec. 1163 as amended by Sec. 157f and Sec. 158f. Exemptions. The following-described property shall be exempt from taxation. (1) Property belonging to, or held in trust for, the United States; (2) property belonging to, or held in trust for, this state; (3) except as otherwise provided by law, property belonging to, or held in trust for, a county of this state and used for county purposes, provided this exemption shall not apply to property belonging to, or held in trust for, a county of this state which has been rented or leased for private use. (4) except as otherwise provided by law, property belonging to, or held in trust for, a municipal corporation of this state and used for a public purpose, including real and personal property used for cemetery purposes; (5) as long as used by the public for public purposes, property held by trustees named in a will or deed of trust and their successors for this state or its

Sec. 1163. Buildings taxable against lessee though land exempt. 10 C. 490; 51 C. 259. Lands given for use of the ministry taxable against lessee for 999 years where lease stipulated he should pay the taxes assessed. 14 C. 228. Such lands taxable in case of sale. 30 C. 160. Grant to ecclesiastical society expressly, without condition, is not within statute as a grant for religious or charitable purposes. 21 C. 481. Act of 1859 not unconstitutional as to lands previously given to charitable uses. 31 C. 407. Lease for 999 years for all practical purposes a fee. 31 C. 407. Statute of 1702 exempting lands given for the ministry for public or charitable uses not a contract; but, if otherwise, a lease for 999 years without reserving rent is a violation of the contract. 36 C. 116. Property conveyed to such uses prior to 1821 left under act of 1702. 38 C. 274. Tax illegally assessed in part, illegal in toto. 38 C. 274. Reservoir held by municipality for public use and necessary land for same exempt. 44 C. 361; see Sec. 1157. Building earning money applicable to secular uses not exempt as a church. 54 C 153. Land of camp meeting association conveyed by lease forfeitable may be taxed against lessee. 54 C. 153. Property of ecclesiastical society must be exclusively used for its purposes to be exempt. 61 C. 228; 66 C. 368, 476. Word "used" applied to corpus of real estate. 66 C. 482. Dormitories and dining halls of Yale University not taxable. 71 C. 316. Legislature may grant exemptions; 89 C. 399; 92 C. 107; but they are to be strictly construed. 85 C. 678. One who grows hay on shares held to be producer of farm crops. 79 C. 295. Ferry owned by city but leased. 87 C. 231. "Buildings" of school held to include appurtenant lands used for playground. 87 C. 474; see 85 C. 674. Private school not exempt. 88 C. 242; 105 C. 456; 108 C. 138. Property of joint-stock agricultural societies is within the exemption. 88 C. 628. Buildings used for rest-house, at which board is paid, held not exempt. 90 C. 504. Land used by one town for poor farm exempt, though located in another. 91 C. 589. Purposes of institution to be gathered from its charter; meaning of term "benevolent society." 95 C. 55. All property of municipality held for public use is exempt though located in different towns; exemptions not lost by incidental non-public user. 95 C. 548, 550. But an assessment of benefits is not a tax under this statute. 96 C. 523. Abandonment as destroying right to exemption. 91 C. 595. Power of legislature to repeal exemption statute. 108 C. 252.

Sec. 1163. Property of a corporation without capital stock not exempt from taxation if not so organized that, if in the future it should make a profit, that profit could be distributed to its members. 111 C. 204-206. A municipal water system, provided under legislative authority, is used for a public purpose and entitled to exemption as such. 112 C. 517, 519. Cited 115 C. 133. The theory of the legislature in exempting certain corporations from taxations is to exempt property sequestered for the service of the public. 117 C. 382, 383, 385. Masonic lodges not exempt from taxation. History of exemption statutes reviewed. 119 C. 57-63. (sub-section 7). To entitle property to exemption from taxation, it must be sequestered from private use and it must be shown that it is devoted to the public use. 119 C. 107, 112.

Sec. 1163 (subdiv. 7). Cited 121 C. 468, 470.

people, one of its counties or its people or one of its municipal corporations or its people; (6) the property of any unit of the Connecticut National Guard, while being used for military purposes, or for other public purposes; the property of any volunteer fire company used for fire protection or for other public purposes, if such company receives any annual appropriation from the town; and, as long as the owner thereof shall make only a nominal charge not in excess of twenty-five dollars annually for its use, property not owned by a Connecticut municipality wherein the same is situated, provided such property is exclusively used by the public in lieu of public property which would otherwise be required, as authorized by any general statute or special act; shall be exempt from taxation; (7) subject to the provisions of sections 1164 and 1165, the real property of, or held in trust for, a Connecticut corporation organized exclusively, for scientific, educational, literary, historical or charitable purposes or for two or more such purposes and used exclusively for carrying out one or more of such purposes and the personal property of, or held in trust for, any such corporation, provided (a) any officer, member or employee thereof does not receive or at any future time shall not receive any pecuniary profit from the operations thereof, except reasonable compensation for services in effecting one or more of such purposes or as proper beneficiary of its strictly charitable purposes, and provided (b) in 1933, and quadriennally thereafter, a statement on forms prepared by the tax commissioner shall be filed on or before the last day required by law for the filing of assessment returns with the local board of assessors of any town, consolidated town and city, or consolidated town and borough, in which any of its property claimed to be exempt is situated; (8) subject to the provisions of sections 1164 and 1165, property belonging to, or held in trust for an agricultural or horticultural society incorporated by this state receiving from the state reimbursement in part for cash premiums given at an agricultural or horticultural exhibition held by it in the state, provided (a) any officer, member or employee thereof does not receive or at any future time shall not receive any pecuniary profit from the operations thereof except reasonable compensation for services in the conduct of its affairs, and provided (b) in 1933, and quadrennially thereafter, a statement on forms prepared by the tax commissioner shall be filed on or before the last day required by law for the filing of assessment returns with the local board of assessors of any town, consolidated town and city or consolidated town and borough in which any of its property claimed to be exempt is situated; (9) subject to the provisions of section 1165, tangible and intangible property owned by, or held in trust for, a religious organization, provided such tangible property and the income from such intangible property are used exclusively for cemetery purposes; donations held in trust by a municipality, an ecclesiastical society or a cemetery association, the income of which is to be used for the care or improvement of its cemetery, or of one or more private burial lots within such cemetery Subject to the provisions of sections 1164 and 1165, any other tangible property used for cemetery purposes and any other intangible property, the income from which is used for cemetery purposes, shall not be exempt, unless (a) such tangible property or the income from such intangible property is exclusively so used, and (b) any officer, member or employee of the organization owning such property does not receive or at any future time shall not receive any pecuniary profit from the cemetery operations thereof except reasonable compensation for services in the conduct of its cemetery affairs, and (c) in 1933, and quadrennially thereafter, a statement on forms prepared by the tax commissioner shall be filed on or

before the last day required by law for the filing of assessment returns with the local board of assessors of any town, consolidated town and city or consolidated town and borough, in which any of its property claimed to be exempt is situated; (10) personal property within the state owned by, or held in trust for, a Connecticut religious organization, whether or not incorporated, if the principal or income shall be used or appropriated for religious or charitable purposes or both; (11) subject to the provisions of section 1165, houses of religious worship, the land on which they stand, their pews, furniture and equipment owned by, or held in trust for the use of any Connecticut religious organization; (12) subject to the provisions of section 1165, real property and its equipment owned by, or held in trust for, any religious organization and exclusively used as a school, a parish house, an orphan asylum, a home for children, a reformatory or an infirmary or for two or more of such purposes; (13) subject to the provisions of section 1165, dwelling houses and the land on which they stand owned by, or held in trust for, any religious organization and actually used by its officiating clergymen; (14) subject to the provisions of section 1165, all property of, or held in trust for, any hospital society or sanatorium which is supported wholly or in part by state appropriations; (15) subject to the provisions of section 1165, tangible property, owned by, or held in trust for, any Connecticut bona fide veterans' organization or any of its local posts, which organization shall be composed in whole or in major part of veterans of the military or naval service or both of the United States in any way, except the civil war; provided such property shall be actually and exclusively used and occupied by such organization. Tangible property belonging to the Grand Army of the Republic, or owned by, or held in trust for, any local post thereof, shall continue to be exempt from taxation in accordance with the provisions of section 1172. Effective April 30, 1937; (16) all moneys used for charitable purposes and owned by, or held in trust for, any Connecticut grand army post or other Connecticut bona fide association of individuals who served in one or more of the combatant forces of the United States in time of war and were honorably discharged therefrom; (17) subject to the provisions of sections 1166 and 1167, property to the amount of three thousand dollars belonging to, or held in trust for, any blind person, resident of this state, who shall be in needy circumstances; (18) subject to the provisions of sections 1166 and 1171, property to the amount of three thousand dollars belonging to, or held in trust for, any resident of this state who has served or is serving in the army, navy, marine corps or coast guard of the United States and is receiving a pension, annuity or compensation from the United States because of the loss in service of a leg or arm or that which is considered by the rules of the United States pension office or the bureau of war risk insurance, the equivalent of such loss; (19) subject to the provisions of section 1166 and 1171, property to the amount of one thousand dollars belonging to, or held in trust for, any resident of this state who has served in the army, navy, marine corps or coast guard of the United States in time of war, or during the Philippine insurrection or China relief expedition, Mexican expedition or Nicaraguan expedition, and received an honorable discharge therefrom, any veteran of any of said wars or campaign, who is still in the service and by reason of continuous service has not as yet received a discharge, or who, being a veteran of any war or of the Philippine insurrection or of the China relief expedition, Mexican expedition or Nicaraguan expedition, retired from the army, navy, marine corps or coast guard service after thirty years of service on account of having reached the age limit prescribed by law or from mental or physical disability, or who is

serving in the army, navy, marine corps or coast guard of the United States in time of war; or lacking said amount of property in his own name, so much of the property belonging to, or held in trust for, his wife as shall be necessary to equal said amount: (20) subject to the provisions of sections 1166 and 1171, during her widowhood, property to the amount of one thousand dollars belonging to, or held in trust for, any widow, resident of this state, of one who has served in the army, navy, marine corps or coast guard of the United States in time of war and has died either during his term of service or after receiving an honorable discharge therefrom; (21) subject to the provisions of sections 1166 and 1171, property to the amount of one thousand dollars belonging to, or held in trust for, any widow, resident of this state, of one who has served in the army, navy, marine corps or coast guard of the United States, which widow is receiving a pension, annuity or compensation from the United States; (22) subject to the provisions of section 1166 and 1171, property to the amount of one thousand dollars belonging to, or held in trust for, a widowed mother, resident of this state, of one who has left no widow and who has served in the army, navy, marine corps or coast guard of the United States in time of war and has died during his term of service or after receiving an honorable discharge therefrom; (23) subject to the provisions of sections 1166 and 1171, property to the amount of one thousand dollars belonging to, or held in trust for, any father or mother, resident of this state, of one who has served in the army, navy, marine corps or coast guard of the United States as long as such father and mother shall receive a pension, annuity or compensation from the United States; (24) fuel and provisions for the use of any family; (25) household furniture, used by and belonging to any family, to the value of five hundred dollars; (26) private libraries and books to the value of two hundred dollars; (27) musical instruments, inclusive of radios, used by and belonging to any family, to the value of twenty-five dollars; (28) watches and jewelry used by any individual to the value of twenty-five dollars; (29) all other wearing apparel of every person and family; (30) fishing apparatus actually used in the main business of any person or company to the value of two hundred dollars; (31) tools of a mechanic, actually used by himself in his trade, to the value of two hundred dollars; (32) farming tools actually and exclusively used in the business of farming on any farm to the value of two hundred dollars; (33) produce of a farm, actually grown, growing or produced during the season next preceding assessment day, including colts, calves and lambs, while owned and held by the producer or by a co-operative marketing corporation organized under the provisions of chapter 194, when delivered to it by such producer; (34) sheep and Angora goats owned and kept in this state to the value of one hundred dollars; (35) swine to the value of fifty dollars; (36) poultry to the value of twenty-five dollars; (37) cash on hand or on deposit. Effective April 7, 1937; (38) bonds issued by the state of Connecticut in accordance with any general statute or special act which provides for exemption from taxation; (39) bonds in the hands of the holder thereof issued by any town or city in aid of the construction of the railroads of the Connecticut Western Railroad Company, the New Haven, Middletown and Willimantic Railroad Company, the Shepaug Valley Railroad Company, the Connecticut Valley Railroad Company, the Connecticut Central Railroad Company, or any of them, to provide or raise money to pay for stock of any of said companies subscribed for by such town or city. When any town or city in this state shall have issued bonds under the provisions of the statutes for the purpose of redeeming or providing a fund to redeem its bonds originally issued in aid of the

construction of any railroad, and which were exempt from taxation, or for redeeming or providing a fund to redeem any reissue of the same, such bonds and the amount invested therein shall be exempt from taxation in the hands of the holders thereof, in the same manner and to the same extent as the original bonds and the amounts invested therein, and no direct, indirect or franchise tax shall be assessed thereon.

929, C. 24.
3. 2. 3

Sec. 1164. Additional report. Property, when taxable. During any year for which a report is not required by subdivisions (7), (8) and (9) of section 1163, a report shall be filed during the time prescribed by law for the filing of assessment lists next succeeding the acquiring of property not therefore made exempt by said subdivisions. Property otherwise exempt under any of said subdivisions and this section shall be subject to taxation until the requirements of said subdivisions and of this section have been complied with.

927, C. 319.
3, 2

Sec. 1165. When property otherwise taxable may be completely or partially exempted. . . Real property belonging to, or held in trust for, any organization mentioned in subdivision (7), (8), (9), (11), (12), (13), (14), or (15), of section 1163, which real property is so held for one or more of the purposes stated in the applicable subdivision, and from which real estate no rents, profits or income are derived, shall be exempt from taxation though not in actual use therefor by reason of the absence of suitable buildings and improvements thereon, if the construction of such buildings or improvements shall be in progress. The real property belonging to, or held in trust for, any such organization, not used exclusively for carrying out one or more of such purposes but leased, rented or otherwise used for other purposes, shall not be exempt. If a portion only of any lot or building belonging to, or held in trust for, any such organization shall be used exclusively for carrying out one or more of such purposes, such lot or building shall be so exempt only to the extent of the portion so used in the remaining portion shall be subject to taxation.

927, C. 319.
. 3, 6
937, S. 241d

Sec. 1166 as amended by Sec. 329e. Assessors to determine exemptions. The board of assessors of each town, consolidated town and city or consolidated town and borough shall inspect the statements filed with it and required by sections 1163 and 1164 from scientific, educational, literary, historical, charitable, agricultural and cemetery organizations, shall determine what part, if any, of the property claimed to be exempt by the organization shall be in fact exempt, and shall place a valuation upon all such property, if any, as shall be found to be taxable. Any organization filing a tax exempt statement, aggrieved at the action of the board of assessors, may appeal, within the time prescribed by law for such appeals, to the board of relief. Any such organization claiming to be aggrieved by the action of the board of relief may, within two months from the time of such action, make application in the nature of an appeal therefrom to the superior court of the

Sec. 1163. Property held by trustee under instructions to apply it to a certain public purpose, but not yet so used, is not exempt under subdivision (5). 125 C. 129.

Sec. 1163. (11) and (13). Property used as a place of temporary sojurn for spiritual rest and refreshment not within the exemption of subdivision (11) or (13). 125 C. 52, 60.

Sec. 1165. See note to section 1163.

Sec. 1165. Cited. 125 C. 59.

county in which such town, city or borough is situated. No individual entitled to exemption under two or more subdivisions (17) to (23), inclusive, of section 1163, of section 370c and 371c and of section 328e shall receive more than one exemption.

Sec. 1167. Proofs to be filed by blind. No individual shall receive any exemption to which he is entitled by subdivision (17) of section 1163 until he or his duly authorized agent or attorney shall have given proof satisfactory to the board of assessors that he is blind and is in needy circumstances. No such blind person, not a resident of a town in which he is seeking exemption, shall receive the exemption to which he is entitled by subdivision (17) of section 1163 until he shall have complied with the provisions of section 1169. 1927, C. 319, S. 4

Sec. 1169 as amended by Sec. 331e. Exemption of soldiers and blind persons, where made. The exemptions granted in sections 1163, 370c, 371c and 328e to soldiers, sailors, marines and members of the coast guard and the wives, widows, fathers and mothers, and to blind persons, shall first be made to the town in which the person entitled thereto resides, and any person asking such exemption in any other town shall annually make oath before, or forward his or her affidavit to, the assessors of such town, deposing that such exemptions, if allowed, will not, together with any other exemptions which may have been granted under such statutes, exceed the amount of exemption thereby allowed to such person. The assessors of each town shall annually make a certified list of all persons who are found to be entitled to exemption under the provisions of such statutes, which list shall be filed in the town clerk's office, and shall be prima facie evidence that the persons whose names appear thereon and who are not required by law to give annual proof are entitled to such exemption so long as they shall continue to reside in such town; but such assessors may at any time require any such person to appear before them for the purpose of furnishing additional evidence. 1918, S. 1164 1937, S. 243d

Sec. 1206. Abatement of taxes. The selectmen of towns, the mayor and aldermen of cities, the warden and burgesses of boroughs and the committees of other communities may abate the taxes assessed by their respective communities upon such persons as are poor and unable to pay the same, and shall present to each annual meeting of their respective communities a list of all persons whose taxes they have abated in the preceding year. 1918, S. 1289

Sec. 1230. Poor debtor's oath. When any person committed to jail by the collector for the nonpayment of any tax, except a personal tax, shall be poor and unable to pay it, he may apply to take the poor debtor's oath, giving the requisite notice to the mayor or warden or one of the selectmen or committee of the community laying such tax; and, if he shall be admitted to take such oath, the community shall pay such collector the amount of the tax, and the costs occasioned by the commitment therefor, if made within eight months after the time when such tax became payable. 1918, S. 1312

Sec. 1255. Town almshouse property taxable for schoolhouse. When any school district having within its boundaries a town almshouse and farm shall impose any tax for the purpose of building or repairing its schoolhouse, such real estate owned by such town shall not be exempt from such taxation. 1918, S. 1324

Sec. 1358. Exemptions. No provisions of this chapter shall be construed to apply to the giving of any performance exclusively for the benefit of (a) any religions, educational or charitable in- 1927, C. 318, S. 7 1929, C. 235, S. 7

stitution, society or organization, or organization whose membership is composed solely of soldiers, sailors, marines and members of the coast guard who are or have been in the service of the United States, or the women's auxiliary units thereof; (b) societies for the prevention of cruelty to children or animals; (c) organizations conducted for the sole purpose of maintaining symphony orchestras and receiving substantial support from voluntary contributions; (d) organizations conducted for the sole purpose of improving any municipality; (e) organizations maintaining a co-operative or community center theater, none of the profits of which shall be distributed to members of such organizations; (f) persons in the military or naval forces of the United States or of this state, or persons who shall have served in such forces and shall be in need; (g) volunteer fire companies; (h) any grange, lodge or fraternal organization. No provision of this chapter shall be construed to apply to any agricultural association conducting an agricultural fair, none of the profits of which shall be distributed to the stockholders or members of the association conducting the same.

Voters of School Districts

1918, S. 934, 935, 940

Sec. 986. Legal voters of school district. The legal voters of a school district shall consist only of the legal voters of the town or towns in which such district is situated who have resided in such school district for the period of four months next preceding. No inmate of the almshouse of any town, other than the officers and employees of the town residing therein, shall vote at any school meeting of the district wherein such almshouse is situated, unless a resident of such district at the time of his becoming such inmate. Any person who shall vote illegally in any school district meeting shall be fined not more than thirty dollars.

Sec. 1255. This section implies that poorhouses are not otherwise taxable. 91 C. 590.

Ch. 53. All of the sections of this chapter apply only to those towns which have not consolidated their school districts. 122 C. 37-47.

Assistance for the Aged

Sec. 608e. New statute, Sec. 433h. Establishment of an old age assistance fund. All receipts derived under the provisions of this chapter shall be payable into and become a part of the old age assistance fund. No expenditures shall be made from the old age assistance fund except for purposes specifically authorized by the provisions of this chapter. When any appropriation made to finance any payments authorized by section 390g or by section 614e shall be determined to be insufficient for any one of such purposes, the governor may add to any such appropriation from the unappropriated resources of the old age assistace fund the amount determined to be required to make such payments in full. If, at any time, the cash resources of the old age assistance fund shall be determined to be insufficient to pay in full the anticipated or accumulated claims against such fund, the governor may transfer from the unappropriated resources of the general fund the amount estimated to be required to pay such claims in full. 1939, S. 608e 1943, S. 389g 1945

Sec. 293f. Chapter 99a is amended by striking out the words "bureau of old age assistance", wherever they occur, and inserted in lieu thereof, the words "commissioner of welfare", and by striking out the word "bureau" whenever it occurs and inserting in lieu thereof the words "commissioner of welfare", and by striking out the words "it" and "itself" wherever they occur as referring to "bureau of old age assistance" or "bureau" and inserting in lieu thereof the word "him" or "himself" whichever is appropriate Ch. 99a 1935 1937 1939 1941

Sec. 730c. New statute, Sec. 431h. Ellegibility. Any person shall be eligible for an old age assistance award who (a) has attained the age of sixty-five years; (b) has not sufficient means to support himself on a reasonable standard of health and decency, and has no person legally liable and able so to support him; (c) is a citizen of the United States and a resident of Connecticut who has resided therein five years during the nine years immediately preceeding the date of his application for an award and has resided therein continuously for one year immediately preceding such date; (d) is not an inmate of an almshouse or other public institution; (e) has not made an assignment or transfer or other disposition of property without reasonable consideration or for the purpose of qualifying for an award; (f) is not serving a sentence in a penal institution, or lodged in a jail while bound over from a lower court for trial. See Appendix (XXIV), and (XXV). 1935 1937, S. 607e 1941, S. 294f 1945

Sec. 731c. New statute, Sec. 434h. Amount. (a) The maximum amount which may be awarded to a beneficiary under an old age assistance award made under this chapter shall be forty dollars per month, provided, in cases where said maximum amount is insufficient to furnish necessary medical or hospital treatment to a beneficiary, the commissioner of welfare shall order the payment of such additional costs of medical care, in excess of said forty dollars per month, as he shall deem necessary and reasonable, and such additional cost of hospitalization as will amount to four dollars per day. (b) Upon the death of a beneficiary, the commissioner of welfare may order the payment of a sum not to exceed one hundred dollars as an allowance toward the funeral expenses of such deceased beneficiary, unless such deceased left sufficient estate to provide a proper burial, and in addition may order the payment of a sum not to exceed twenty-five dollars for the cost of a burial lot, the opening of the grave and other cemetery charges or cremation expense. 1935 1937 1939, S. 609e 1941, S. 295f 1943, S. 390g 1945

935, S. 732c
941, S. 293f
945

Sec. 732c. New statute, Sec. 435h. Inmate of an institution. No award shall be made to an inmate of an almshouse or other public institution, but any person otherwise eligible residing in an almshouse or other public institution may make application for an award. If the commissioner of welfare shall find, after investigation, that such applicant is eligible to receive an award and can be adequately and properly maintained outside of an institution, he may make an award, provided payment thereof shall not begin until such applicant shall be residing outside of such almshouse or other public institution and the commissioner of welfare shall be duly notified thereof. See Appendix (XXVI).

935
937, S. 610e
941

Sec. 733c as amended by Sec. 296f. Interest in real estate. (a) No person shall be deemed to be ineligible to receive an award by reason of having an interest in real property. *** Any lien now existing upon real estate now or formerly owned by any old age assistance beneficiary shall be released by the commissioner upon payment of the amount by it secured, or of an amount equal to the value of the beneficiary's interest in such property if the value of such interest shall be less than the amount secured by such lien, at his discretion, and with the advice and consent of the attorney general, upon a compromise of the amount due the state. (b) No person shall be deemed to be ineligible to receive an award by reason of insurance carried on his life by himself or legally liable relatives, or having a joint interest in a bank account or owning other personal property, provided such insurance policy or such joint interest or such other personal property shall be assigned if in excess of five hundred dollars to said commissioner, if required by him. Said commissioner shall have authority to determine the amount of any such joint interest. See Appendix (XXVII).

935
937, S. 611e
941

Sec. 734c as amended by Sec. 297f. Commissioner of welfare to administer this chapter. The commissioner of welfare shall adopt such rules and regulations as are necessary to enable him to carry out the provisions of this chapter, and, so far as is consistent with said provisions, such rules and regulations as may be necessary for receiving grants from the federal government to this state, provided the absence of any such rule or regulation would result in the loss of such federal grants. The commissioner of welfare shall employ such directors, investigators, field workers and other assistants as may be necessary for a proper administration and shall determine their powers and duties. If, by act of congress or otherwise, the federal government shall grant financial assistance to this state for direct payment of the costs of medical care of beneficiaries, to those furnishing such services, then the commissioner of welfare is authorized, with the approval of the governor, to make such direct payments from state and said federal funds for such medical care. The commissioner of welfare shall promulgate such rules and regulations as may be necessary to insure a proper administration of such plan. The commissioner of welfare shall establish and enforce reasonable rules and regulations governing the custody and use of the records, papers, files and communications concerning persons applying for or receiving assistance under this chapter. Wherever under provisions of law names and addresses of recipients of old age assistance and assistance to the blind are furnished to or held by any other agency or department of government, such agency or department of government shall be required to adopt regulations necessary to prevent the publication of lists thereof or their use for purposes not directly connected with the administration of old age assistance and

(610e). Cited. 125 C. 165.

assistance to the blind. It shall be unlawful, except for purposes directly concerned with the administration of old age assistance and assistance to the blind, and in accordance with the rules and regulations of the commissioner of welfare, for any person or persons to solicit, disclose, receive, make use of, or to authorize, knowingly permit, participate in or acquiesce in the use of, any list of, or names of, or any information concerning persons applying for or receiving such assistance, directly or indirectly derived from the records, papers, files or communications of the state or its sub-divisions or agencies, or acquired in the course of the performance of official duties.

Sec. 735c. Duties of Commissioner of Welfare. The commissioner of welfare shall furnish forms for the use of applicants, local officials and himself; and shall establish and maintain a system of records and accounts which shall show the number of applications and the disposition of the same, the record of payments made to each recipient of an award and such other information as may be necessary for the proper operation and administration of this chapter and as the rules and regulations of the United States government may require if the United States government shall make contributory allotments of federal funds to the state of Connecticut for old age assistance extended under the provisions of this part. 1935 1941

Sec. 736c as amended by Sec. 298f. Application for aid. Application for old age assistance shall be made to the local officer of the town in which the applicant resides. The term "local officer" shall mean the public official charged with the administration of public assistance in any town, city or borough. All statements in the application shall be sworn to by the applicant, who shall be the person to receive the benefit of the award. Upon application so made, the local officer shall immediately forward such application to the commissioner of welfare. See Appendix (XXVIII). 1935, S. 736c 1941

Sec. 737c as amended by Sec. 299f. Investigation. The commissioner of welfare, upon receipt of an application for an award, shall investigate the same and shall grant an award only if he shall find the applicant eligible therefor, in which case he shall grant an award in such amount, not exceeding the maximum amount allowed by this chapter, as shall be needed in order to enable the applicant to support himself on a reasonable standard of health and decency. The commissioner shall, in determining need, take into consideration any available income and resources of the individual claiming assistance. The commissioner shall make periodic investigations to determine the continuing eligibility of the beneficiary and may, at any time, modify, suspend or discontinue any award previously made when such action shall be necessary in order to carry out the provisions of this chapter. The commissioner shall notify the applicant or beneficiary, as the case may be, of any decision, whether made with or without a hearing, denying, granting, modifying, suspending or discontinuing an award, by mailing him a copy thereof within seventy-two hours after its rendition. 1935, S. 737c 1941

Sec. 738 as amended by Sec. 293f. Incapable applicant. If the commissioner of welfare shall determine that an applicant or beneficiary is incapable of taking care of himself or his money, he may order the payment of the award to a legally appointed conservator of such applicant or beneficiary. 1935 1937, S. 612e 1941

(613e). Undertaker who performed funeral services for a beneficiary under this act is an "applicant" within the meaning of this section. 125 C. 160.

1935
1937, S. 613e
1941

Sec. 739c as amended by Sec. 293f and Sec. 300f. Hearing. Appeal. Any applicant or beneficiary aggrieved by a decision of the commissioner of welfare made without a fair hearing may make application in writing to the commissioner of welfare for a hearing and shall state, in such application, in simple language, the reasons why he claims to be aggrieved. Such application for a hearing shall be mailed to the commissioner of welfare within ten days after the rendition of such decision. The commissioner of welfare, upon receipt of such application, shall hold a fair hearing, and shall, at least ten days prior to the dates set for such hearing, mail a notice, giving the time and place thereof, to the applicant or beneficiary and to the local officer of the town in which such applicant resides. After such hearing, the commissioner of welfare shall render a final decision, which shall supersede the decision made without a hearing, and of which final decision notice shall be given the applicant for hearing as hereinbefore provided. Such decision after hearing shall be final except that the applicant for such hearing, if aggrieved, may appeal therefrom, within thirty days from the date of its rendition, to the superior court for the county wherein he resides, in accordance with the provisions of section 5465. No appeal may be taken from a decision made without a hearing. See Appendix (XXIX).

1935, S. 740c
1941, S. 293f
1943

Sec. 740c as amended by Sec. 391g. Conduct of hearing. The commissioner of welfare, or any person by him designated to hold a hearing, shall have the power to compel, by subpoena, the attendance and testimony of witnesses and the production of books and papers at any such hearing, and all witnesses shall be examined under oath, which may be administered by said commissioner or by the person so designated to hold the hearing.

1935, S. 741c
1941

Sec. 741c as amended by Sec. 301f. Payment of awards. Payment of each award shall be made by the commissioner at such regular intervals as shall be determined by said commissioner directly to the beneficiary or to the person named under section 612c to receive payment for the benefit of the beneficiary, and the comptroller shall draw his order on the treasurer, from time to time, for such part of the old age assistance fund as may be needed in order to enable the commissioner to make such payments. See Appendix (XXX).

1935, S. 742c
1941

Sec. 742c as amended by Sec. 293f. Property of beneficiary. If a beneficiary, or the husband or wife, or any child or other person legally liable to support such beneficiary, shall receive, in any calendar year, property of an aggregate value in excess of one hundred dollars, such beneficiary, immediately upon obtaining knowledge of such receipt of such property, shall notify the commissioner of welfare thereof. The provisions of section 1725 shall be applicable with respect to any person applying for, or receiving, an old age assistance award.

1935
1937, S. 614e
1941, S. 302f
1943

Sec. 743c as amended by Sec. 392g and 393g. Claim of state. (a) If, after an award has been made, it shall be found that the beneficiary has sufficient means to support himself on a reasonable standard of health and decency, or that, subsequent thereto, he has acquired such means, the state of Connecticut shall have a claim, which shall have priority over all unrecorded incumbrances, against such beneficiary for the full amount paid to him under this chapter. Any sums paid any beneficiary as a result of any false statement, misrepresentation or fraudulent, concealment by him, or by any person legally liable for his support, may be recovered in double their amount in an action brought by the state against such beneficiary or such other person or both. (b)

Upon the death of a beneficiary, the state shall have a claim against his estate, for all amounts paid to him under the provisions of this chapter. *** Such claim shall have priority over all unsecured claims against such estate, except (1) administrative expenses, including probate fees and taxes, (2) funeral expenses not to exceed two hundred dollars and the cost of a burial lot, the opening of the grave and other cemetery expenses, or cremation expenses, not to exceed fifty dollars, and (3) expenses of last sickness not to exceed three hundred and seventy-five dollars. (c) The attorney general shall collect any claim which the state may have hereunder against any person, or his estate, and any amount recovered shall be paid to the state treasurer, to be placed to the credit of the old age assistance fund. The statute of limitations shall not apply to any action for such collection. In each case in which the state shall have collected from the estate of any recipient of old age assistance any amount with respect to old age assistance furnished him, one-half the net amount so collected shall be promptly paid to the United States, if required as a condition of federal financial participation. (d) Any person, who, by means of an intentionally false statement or misrepresentation or by impersonation or other fraudulent act or device, shall obtain, or attempt to obtain, or aid or abet any person to obtain, any award hereunder to which he is not entitled; and any person who, with intent to defraud, shall buy or aid or abet in buying or in any way disposing of the property of a person receiving an award, without the consent of the commissioner of welfare; and any person who shall violate any other provision of this part, shall be fined not more than two hundred dollars or imprisoned not more than six months or both. When a person receiving assistance shall be convicted of an offense under this section, the commissioner of welfare shall discontinue his award if such action has not already been taken. See Appendix (XXX). (XXXIa).

Sec. 432h. Estates of persons who receive old age assistance. 1945
When any person who has received grants under the provisions of this chapter dies leaving personal estate not exceeding five hundred dollars in value, the commissioner of welfare, unless some other person interested in such estate takes out administration thereon within ninety days after such death, may take such estate and dispose of it in accordance with the provisions of sections 250f, as amended by section 369g, and section 251f.

Sec. 744c (a) as amended by Sec. 293f. Administrative expenses. 1935 1937, S. 615e 1941
The costs of awards made under this chapter, as well as the costs of its administration, shall be borne entirely by the state of Connecticut, except that any federal contributions shall be payable into, and become a part of, the old age assistance fund and the commissioner of welfare is directed to accept such contributions, to co-operate with the federal government in procuring such contributions, to submit to the federal government such information and reports as it may require and to verify the accuracy of the same in such manner as said government may, from time to time, require.

Sec. 744c (b) as amended by Sec. 293f. Use of public buildings. 1935 1937, S. 616e 1941
The commissioner of welfare may use any available space in any public building of the state or any subdivision thereof for the purpose of holding a hearing or investigation.

Sec. 745c. Awards inalienable. 1935
Each award shall be absolutely inalienable by assignment, sale, attachment, execution or otherwise.

1935 **Sec. 746c. Removal from state.** Each award under the provisions of this part is, and shall be held, subject to the provisions of any amending or repealing act that may hereafter be passed, and no beneficiary or other person shall have any vested right to any award. No award shall continue after the removal of the beneficiary from this state, but occasional absences for short periods need not be deemed by the commissioner of welfare to constitute a removal.

1937, S. 617e 1941 **Sec. 617e as amended by Sec. 303f. Aid to the blind.** (a) The provisions of this chapter are extended and made applicable to needy blind individuals, regardless of their age, who in other respects comply with the provisions hereof. (b) Blindness shall be defined to mean total and permanent loss of sight in both eyes, or the reduction to one-tenth or less of normal vision with glasses. The commissioner of welfare is empowered to define blindness in terms of ophthalmic measurement.

1941 **Sec. 304f. Reciprocal agreements.** The commissioner is authorized to enter into reciprocal agreements with other states under the provisions of this chapter.

1937, S. 618e 1941 **Sec. 618e as amended by Sec. 306f. Old age assistance tax.** (a) Whenever used in this part, unless the context shall otherwise require, the word "town" shall mean any town, consolidated town and city or consolidated town and borough of the state; the words "actual population" shall mean the population as last determined by the bureau of the census of the department of commerce of the United States. (b) In addition to the taxes provided by chapter 66 and to any other taxes, an annual state tax of two million two hundred and twenty-five thousand dollars is imposed upon the towns of the state. Each town shall pay its share of said tax on or before the first day of April of each year. (c) Said tax shall be apportioned to and paid by each town in the state in the proportion which the population of such town bears to the total population of the state according to the last preceding United States census, provided the tax commissioner, in estimating the population of any town, shall deduct from its actual population the number of inmates of one or more state and other public institutions not drawing upon local areas and the number of persons in New London crews of vessels not residents of the town of New London, which inmates and crews shall have been included in the actual population of any such town.

1935, S. 749c 1941 **Sec. 749c as amended by Sec. 305f. Repeal of provisions.** (a) "Personal tax" defined. Wherever used in this section, unless the context shall otherwise require, the words "personal tax" shall include not only the two-dollar personal tax itself but also any part thereof and any interest, penalty, fees and charges which have been added thereto. (b) *Conditional repeal.* Chapter 64 of the general statutes as amended by sections 351b, 352b and 353b of the 1933 supplement and all other acts or parts of acts, whether public or private, which are inconsistent with the provisions of this part are repealed, but such repeal shall not affect the obligation of any collector or other person to pay to his municipality or to the proper authority any personal tax which may have been collected or otherwise received by him. (c) *Uncollectible after July* 1, 1941. Any personal tax which shall not have been collected prior to July 1, 1941, shall be uncollectible on and after said date and shall not thereafter be included as an asset of any municipality. Neither the tax collector nor his surety or sureties shall be liable for any personal tax which shall not have been collected prior to July 1, 1941, and it shall not be necessary to transfer any

uncollected personal tax, which shall have become uncollectible pursuant to the provisions of this section, to the suspense tax book.

Sec. 750c. State tax. In addition to the taxes provided by chapter 66 and any other taxes, an annual state tax, beginning with the year 1936, is imposed upon the several towns of the state of two million one hundred thousand dollars. Said tax shall be paid on or before April 1, 1936, and annually thereafter. 1935

Sec. 751c. Apportionment. Said tax shall be apportioned to and paid by each town in the state in the proportion which the population of such town bears to the total population of the state according to the last preceding United States census. See Appendix (XXXII). 1935

Sec. 619e. Application. Sections 750c and 751c shall be inapplicable to old age assistance taxes which became due after June 30, 1937. Sections 752c to 756c, inclusive, shall apply to taxes imposed under the provisions of Section 618e. 1937, S. 403d

Sec. 752c. Determination of tax. On or before the first day of January, 1936, and annually thereafter, the tax commissioner shall determine the amount of tax which each town shall be required to pay and shall send written notice to the treasurer of such town stating such amount. The determination of the tax commissioner shall be final. 1935

Sec. 753c. Responsibility of selectmen. The selectmen of each town other than a consolidated town and city or consolidated town and borough, and the chief executive authority of a consolidated town and city or consolidated town and borough, shall cause the amount of such tax imposed upon such town to be paid to the state on or before April 1, 1936, and in each year thereafter, and, if any town shall not pay such tax at such time, the state treasurer shall issue an execution, returnable in sixty days, against the estate of its selectmen or chief executive authority, as the case may be, for the sum due, directed to the sheriff of the county in which such town is situated. 1935

Sec. 754c. Execution against town. If such execution shall be returned unsatisfied, the treasurer shall forthwith issue an execution, returnable in sixty days, for the sum remaining due on such tax, with the officers' fees and charges before that time accruing, against the estate of the inhabitants of such town, to be directed as provided in section 753c. 1935

Sec. 755c. Sale for tax. When any estate shall be taken on an execution issued for the collection of such state tax due from any town, any justice of the peace of an adjoining town, on application of the owner, shall appoint three disinterested electors, of such adjoining town to appraise such estate; and its appraised value, if sold on such execution, shall be paid to such owner by the town from which such taxes were due, with such further damages as shall be just and reasonable. 1935

Sec. 756c. Interest on delayed payments. The tax provided by this part due to the state shall be liable to interest at nine per cent per annum when payment of the same shall have been delayed more than thirty days after April first in the year 1936, and in each year thereafter, provided the minimum amount of interest on such tax shall be five dollars. In the event of non-payment, which fact shall forthwith be certified by the treasurer to the tax commissioner and to the comptroller, in addition to other reme- 1935

dies, the amount of such tax, with any interest thereon, may be deducted by the comptroller from any state grant to which such town is entitled.

1935
1937, S. 404d
1943

Sec. 757c as amended by Sec. 394g. Collection. Each person between the ages of twenty-one and sixty years, inclusive, except honorably discharged veterans, disabled as a result of service, to a compensable degree, and except as otherwise provided by section 761c, shall, annually, pay an old age assistance tax of three dollars. Said tax shall be collected by the property tax collector in each of the several towns or by a person appointed by him, at such compensation as may be fixed by the chief executive authority of such town. The chief executive authority of each town shall, annually, cause to be made, by one or more canvassers appointed by him, a list of all persons between the ages of twenty-one and sixty years, inclusive, residing in such town on the first day of October, and shall lodge such list in the town clerk's office for public inspection, on or before the first day of December following, except in the towns of Milford and Torrington where such list shall be so lodged on or before thirty-first day of December following the making of such list. Appendix (XXXIII), (XXXIV) and (XXXV).

1943

Sec. 395g. Definitions. When used in this act the words "armed forces" shall include the army, navy, marine corps, coast guard, or merchant marine of the United States, or any women's auxiliary organized pursuant to an act of congress and affiliated with one of said branches of the service. The word "collector" shall mean the person in each town, consolidated town and city, and consolidated town and borough charged with the duty of collecting the old age assistance tax provided for in section 394g.

1943

Sec. 396g. Exemption and proof. Each person residing in this state in the armed forces, either within or without the state, on or after October 16, 1940, shall be exempt from the payment of any old age assistance tax becoming due and payable during his term of service within the limitations of this act, provided he shall furnish satisfactory proof of such service and of the date of his enlistment or induction to the collector. Satisfactory proof shall consist of the following: (1) A notice in writing to the collector signed by the person claiming exemption and attested to by his commanding officer, evidencing actual service and the date of the claimant's enlistment or induction; or (2) a statement in writing from the local draft board or any other duly constituted state or federal agency which maintains an official list of persons in the armed forces, containing information that such person is actually in such service and the date of his induction or enlistment; or (3) a sworn statement in writing signed by a member of the claimant's family who resided in his household at the time of his induction or enlistment, attesting to the facts of his actual service and the date of such induction or enlistment; or (4) two sworn statements in writing attesting to the actual service of the claimant and the date of his induction or enlistment, signed by persons having personal knowledge of such facts. Upon receipt of such sworn statements the collector may further require the persons signing the same to be examined under oath concerning such facts, and the collector may take the acknowledgement under oath of all persons signing sworn statements for the purposes of this act and no fee shall be charged for the same; or (5) when any collector knows of his own knowledge of the actual service in the armed forces of any person residing in the town for which he is collector, and the date of his induction or enlistment, such personal knowledge shall be considered satisfactory proof that such person is entitled to exemption.

Sec. 397g. Application for exemption. Upon receipt of such proof the collector shall make a list of the names of persons entitled to exemption, with a notation as to the date of enlistment or induction, and certify the same to the chief executive authority, who shall promptly cause the old age assistance yearly rate book or books to be marked accordingly, granting an abatement to those who were certified as entitled to exemption on old age assistance taxes that became due subsequent to October 16, 1940, and deleting from the current and appropriate succeeding rate books the names of those having thus established their right to exemption during such time as this act remains in effect. 1943

Sec. 398g. Refund of taxes paid. Any person who has so established his right to exemption and who has previously paid an old age assistance tax, on which he is entitled to an exemption by the provisions of this act, shall be entitled to a refund of any moneys so paid including any money paid as a penalty imposed by section 621e of the 1939 supplement to the general statutes, upon submitting an application in writing to the collector containing a statement of the amount of refund claimed and a recital of the facts upon which the claim is based. The amount of such refund shall be determined by such collector and certified to the board of selectmen of a town, or the corresponding authority of a city or borough or any consolidation thereof, who shall draw an order in favor of such person or any other person having paid the tax in his behalf. In the case of a person other than the person entitled to exemption claiming a refund, the written application for such refund shall be sworn to under oath. 1943

Sec. 400g. Proof of exemption of one thousand dollars on property, already established, to be sufficient. Any proof of exemption already established by any such claimant for exemption on property by reason of service in the armed forces in the second world war shall be considered as the establishment of satisfactory proof for exemption from payment of the old age assistance tax. 1943

Sec. 401g. Failure to furnish proof while in service. Any person who has been unable to receive the exemption herein provided while in the service of the armed forces and who has received an honorable discharge therefrom, may obtain the benefit of such exemption by personally applying to the collector and furnishing him with the necessary facts to establish his right to exemption. Upon the submission of such facts his claim for exemption shall be treated in the same manner as if satisfactory proof had been established during his term of service, and the provisions concerning exemption and refund shall thereupon be applicable to him during such term of service. 1943

Sec. 402g. New statute. Sec. 437h. Tax exemption for members of the armed forces. Any person who has qualified for and received the exemption provided for in sections 395g through 401g, inclusive shall continue to be exempt from the payment of the tax provided for in section 394g if he files an honorable discharge or a certified copy thereof after at least ninety days' service in the armed forces with the town clerk, and files a copy of his receipt for the same with the tax collector of the town in which he resides, provided such receipt shall be filed with the collector not later than three years from the date of such honorable discharge. Such collector shall thereupon make a record of the same and shall certify to the chief executive authority of such town the continuance of any such exemption, who shall cause the appropriate old age assistance yearly rate book to be marked accordingly. 1943, S. 402g 1945

1945 **Sec. 438h, Refunds.** The provisions of section 398g regarding refunds shall apply to any person who has previously paid an old age assistance tax on which he is entitled to an exemption under the provisions of Sec. 437h.

1945 **Sec. 439h. Validation of exemptions previously granted.** Any action taken by a collector or officer of any town, city or borough or any consolidation thereof, prior to July 1, 1945, wherein an exemption was granted to a member of the armed forces on an old age assistance tax due and payable subsequent to October 16, 1940, is validated.

1935 **Sec. 758c. False information.** Any person who shall knowingly or wilfully refuse information or give false information to any canvasser respecting any fact pertinent to the purposes of compiling such list as to himself or any member of his family or his ward or any person in his employ or rooming or boarding with him, shall be fined not more than two hundred dollars or imprisoned not more than six months or both.

1935, S. 759c 1939 **Sec. 759c as amended by Sec. 621e. Assessment.** The word "town", wherever used in this act, shall mean each town and consolidated town and city and each consolidated town and borough. The chief executive authority of each town shall cause to be prepared a rate bill assessing, except for such honorably discharged veterans as shall be exempt under the provisions of section 620e of the 1939 supplement to the general statutes, an old age assistance tax of three dollars on each person whose name shall appear on the list provided for in said section 620e, and may, at any time thereafter, correct such rate bill by adding thereto the names of any persons erroneously omitted and by erasing therefrom the names of any persons erroneously added thereto or included therein. Such tax shall be due and payable on the first day of February of each year thereafter. If any such tax shall not be paid in full on or before the first day of March next succeeding its original due date, there shall be added thereto the sum of one dollar, which amounts shall become thereupon a part of such tax and shall be collectible in the same manner as though originally a part thereof. The collector shall keep an accurate account, showing such additions, and shall pay the same to the treasurer with, and as a part of such tax. Section 759c of the 1935 supplement to the general statutes is repealed, but such repeal shall not operate retroactively nor affect the obligation of any person to pay any tax due prior to July 1, 1939, nor any provision for the collection of such tax.

1935 1937 **Sec. 760c as amended by Sec. 622e. Rate bill. Collection.** The chief executive authority of each town shall make a separate rate bill, as hereinbefore provided, for the collection of the old age assistance tax and cause a warrant to be issued to such tax collector for the collection thereof. Such collector, if he shall not be the regular property tax collector, shall give a bond as required by law for property tax collectors covering his obligations as collector of the old age assistance tax. Each bond of such collector secured on and after October 1, 1937, if he shall be the regular property tax collector, shall cover his obligations as collector of the old age assistance tax as well as for the faithful performance of all of the other duties of his office. Each collector of the old age assistance taxes shall have the same powers and perform the same duties in relation to the old age assistance tax as are provided by law for the collection and settlement with the treasurer of other town taxes, in addition to the powers and duties otherwise prescribed in the old age assistance tax law.

Sec. 761c. Abatement. The chief executive authority of each town shall have power at any time to abate the old age assistance tax of any person who (1) actually is too poor to pay the same, and (2) actually is receiving aid as a public charge from the state of Connecticut or a subdivision thereof, or actually is receiving aid under the provisions of Part I of this chapter. 1935

Sec. 762c. New statute. Sec. 436h. Failure to pay. When any person shall fail to pay his old age assistance tax after payment of the same shall have been duly demanded by the collector, by personal demand or by depositing, in the post office, postage prepaid, a written demand for such tax, addressed to such person at his last-known place of residence, the tax collector of the town wherein such tax is laid shall notify a grand juror of such town, or, if in a town where a town, city, police or borough court is established, the prosecuting attorney or officer of such town, city, police or borough court, of such failure, with all data and information necessary to draft a complaint in the premises, and such grand juror or prosecuting attorney or officer shall prefer his complaint to any justice of the peace residing in such town or to such town, city, police or borough court established therein, alleging the nonpayment of such tax, and such justice of the peace or court shall thereupon cause such delinquent taxpayer to be arrested and brought before such justice or court. Any policeman, patrolman or officer authorized to serve criminal process, upon such complaint being preferred and the issuance of a warrant thereon, may arrest such delinquent taxpayer and immediately present him before such justice or court, provided such justice shall be sitting or such court shall be in session. If such taxpayer shall be placed under arrest at a time when such court shall not be in session or a justice of the peace shall not be available, such delinquent taxpayer shall be presented before such justice or court within twenty-four hours after his arrest. Pending such presentment he shall be confined to jail unless he shall furnish a bond with sufficient surety to cover the amount of his delinquent tax, or taxes, and any penalty imposed thereon. Such justice or court shall thereupon hear such complaint and determine whether such taxpayer is liable for such tax, and, if liable, whether he is ineligible for abatement under the provisions of section 761c, and, upon finding that both such conditions exist, shall order the accused to stand committed to the jail or workhouse in the county until such tax, with interest therein and all costs of proceedings, shall be paid. All town, city, police and borough courts and each justice of the peace shall have all the powers and jurisdiction conferred upon them necessary to hear and try all complaints arising under this section and proceed therein to final judgment and execution according to law. Any person committed to jail under the provisions of this section except while awaiting trial shall be required to do such work as his physical condition may allow and shall be discharged when his labor at the rate of one dollar a day shall amount to such tax and interest, including the sum of three dollars per week for board during such commitment, and thereupon the county commissioners shall pay to the treasurer of the town from which such delinquent person was committed the amount of such tax. The provisions of this section shall be applicable not withstanding other remedies for the collection of such tax. 1935, S 762c 1945

Sec. 763c. Personal tax superseded. No town, city or borough or subdivision thereof shall lay any poll or personal tax after July 1, 1935, except as provided in this part. 1935

1935 **Sec. 764c. Applicable provisions.** The provisions of sections 1231 and 1232 and of sections 333b of the 1933 supplement and 382c, 383c, 384c and 399c relating to the personal tax, shall apply to the old age assistance tax.

1935 **Sec. 765c. Chief executive authority.** The term "chief executive authority", as used in this chapter, shall mean (1) the first selectman of any town, other than a consolidated town and city or consolidated town and borough, and (2) the mayor, manager or warden, as the case may be, of any consolidated town and city or consolidated town and borough.

1935 1937, S. 681d **Sec. 1311c as amended by Sec. 1099e. Licenses for persons over sixty-five years of age.** Any citizen of this state over sixty-five years of age may obtain a license to hunt or fish in this state without the payment of any fee other than the recording fee of thirty-five cents; but he shall be subject to any other statutory provision applicable to hunting or fishing.

Aid to Dependent Children

1941 **Sec. 307f. Definitions.** When used in this chapter the following terms shall have the meanings herein assigned: "Dependent child" shall mean a needy child under the age of sixteen and under eighteen if at school, who has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle or aunt, or any other relative approved by the commissioner of welfare in a place of residence maintained by one or more of such relatives at his or their own home; "local officer" shall mean the public official charged with administration of public assistance in any town, city or borough.

1941 **Sec. 308f. Eligibility.** Any such relative having a dependent child or dependent children under sixteen years of age, and under eighteen if at school, who is unable to furnish suitable support therefor in his own home shall be eligible to apply for and receive the aid authorized by this chapter, for such dependent child or children, provided (a) any such dependent child has resided in this state for one year immediately preceding the date of the relative's application; or (b) was born in this state within one year immediately preceding the application, if his mother had resided in this state for one year immediately preceding his birth, and (c) such dependent child shall be supported in a home in this state, suitable for his upbringing, which such relative shall maintain as his own. Aid shall not be denied any such dependent child on the ground that such relative is not a citizen of this state or of the United States.

1941 **Sec. 309f. Extent of aid.** Aid shall be granted on behalf of such dependent child or children to any relative eligible therefor under this chapter to an extent adequate to enable the relative caring for such child or children, together with all other available income and support, to maintain a standard of living in the home reasonably compatible with health and decency for such child or children. Upon the death of any such child or a parent of such child, an allowance for funeral expenses not exceeding the sum of one hundred dollars may be granted by the commissioner of welfare.

Sec. 310f. Cost of aid; how paid. Three-tenths of the cost of the aid furnished to any dependent child and three-tenths of any funeral expenses paid by the commissioner of welfare under this chapter shall be paid by the town in which such child resides. The remainder of such cost and the cost of administration shall be borne entirely by the state, except to such extent as such cost to the state may be reduced by grants from the federal government to the state for aid to dependent children. The commissioner of welfare shall, on or before the first day of each January, April, July and October, notify the local officer of the town in which such dependent child resides of its share of the expense of the aid furnished any such child and such town shall, on or before the fifteenth day of each of said months, reimburse the state to the extent of such share. When any relative receiving aid under this chapter, having a residence in any town in this state, shall remove to some other town in this state for the purpose of residing therein, the local officer of the town liable for its share of such aid shall forthwith notify the local officer of the town to which such relative removed, in writing, of such removal. Upon receipt of such notice, the town to which such relative has removed, shall be liable for its share of aid furnished such relative under this chapter. A copy of such notice shall forthwith be sent to the commissioner of welfare. Upon the failure of any town to reimburse the state for any money expended for aid to any dependent child residing in such town, under the provisions of this chapter, within thirty days from the date of the mailing of notice of the amount due, the same may be collected, with interest thereon, in a civil action brought against such town by the attorney general in any court in Hartford county having jurisdiction of such amount. 1941

Sec. 311f. Commissioner of welfare to adopt regulations. Assistants. The commissioner of welfare shall adopt such rules and regulations as are necessary to enable him to carry out the provisions of this chapter, and, so far as is consistent with said provisions, such rules and regulations as may be necessary for receiving grants from the federal government to this state, provided the absence of any such rule or regulation would result in the loss of such federal grants. The commissioner of welfare shall employ such directors, investigators, field workers and other assistants as may be necessary for a proper administration and shall determine their powers and duties. 1941

Sec. 312f. Forms. Records. The commissioner of welfare shall furnish forms for the use of applicants and local officers, and shall establish and maintain a system of records and accounts which shall show the number of applications and the disposition of the same, the record of payments made with respect to each child and such other information as may be necessary for the proper operation and administration of this chapter, and as the rules and regulations of the federal government may require, if, and so long as, the federal government shall make grants to this state for aid to dependent children. 1941

Sec. 313f. Applications for aid. Any relative having a dependent child or dependent children residing in his home may apply in writing for the aid provided by this chapter to the local officer of the town wherein he resides. The name and address of each such applicant shall be recorded with the commissioner of welfare. Such application shall be made by such relative and shall contain the name and the exact residence of such relative, the name, place and date of birth of each dependent child and 1941

such other information as may be required by the commissioner of welfare. The local officer shall immediately forward such application to the commissioner of welfare.

1941, S. 314f 1945

Sec. 314f. New statute. Sec. 441h. Investigation. The commissioner of welfare, upon receipt of an application for aid, shall cause an investigation to be made, and shall grant the aid only if he shall find the applicant eligible therefor, in which case he shall grant aid in such amount as shall be needed in order to enable the relative to support such dependent child or children in health and decency. No hospital receiving an appropriation granted by the general assembly shall charge or receive more than four dollars per day for the necessary care, medical attention and treatment of any such person, except that, if special treatment or care shall be required, a greater reasonable weekly compensation may be granted upon approval of the commissioner of welfare.

1941

Sec. 315f. Modofication or discontinuance of aid. The commissioner of welfare may, at any time, modify, suspend or discontinue any aid previously granted, when such action shall be necessary in order to carry out the provisions of this chapter. Said commissioner shall notify the relative of any decision, whether made with or without a hearing, denying, granting, modifying, suspending or discontinuing any aid, by mailing him a copy thereof within seventy-two hours after its rendition.

1941

Sec. 316f. Hearings. Any such relative aggrieved by a decision of the commissioner of welfare made without a fair hearing may make application in writing to the commissioner of welfare for a hearing and shall state, in such application, in simple language, the reasons he claims to be aggrieved. Such application for a hearing shall be mailed to the commissioner of welfare within ten days after the rendition of such decision. The commissioner of welfare, or any person authorized by him, upon receipt of such application, shall hold a fair hearing, and shall, at least ten days prior to the date set for such hearing, mail a notice, giving the time and place thereof, to the relative and to the local officer of the town in which such relative resides. After such hearing, the commissioner of welfare shall render a final decision, which shall supersede the decision made without a hearing, and of which final decision notice shall be given the relative. Such decision after hearing shall be final except that the applicant for such hearing, if aggrieved, may appeal therefrom, within thirty days from the date of its rendition, to the superior court for the county wherein he resides, in accordance with the provisions of section 5465. No appeal may be taken from a decision made without a hearing.

1941

Sec. 317f. Witnesses. The commissioner of welfare shall have the power to compel, by subpoena, the attendance and testimony of witnesses and the production of books and papers at any such hearing, and all witnesses shall be examined under oath. The commissioner of welfare may make such rules and regulations as he may deem necessary for the conduct of any such hearing.

1941

Sec. 318f. Inspection of homes. The homes wherein dependent children receiving aid under the provisions of this chapter shall reside, shall be subject at all times to such inspection by the commissioner of welfare as shall be necessary for the effective operation of this chapter. The provisions of section 717c shall not apply to the beneficiaries of this chapter.

Sec. 319f. Payments. The aid granted under this chapter shall be in the form of money payments and shall be made by the commissioner of welfare directly to the relative entitled to receive the same at such regular intervals as shall be determined by said commissioner, provided the payments of the costs of medical care may be made to the relative or to those persons furnishing such services by said commissioner, and the comptroller shall draw his order on the treasurer from time to time for such part of the general fund appropriated to meet the payments provided for under sections 314f and 315f as may be needed to enable the commissioner to make such payments. 1941

Sec. 320f. Agreements with other states. The commissioner of welfare is authorized to enter into reciprocal agreements with other states relative to provisions of welfare services and aid to residents and non-residents. Aid under this chapter shall not continue after the removal of any such relative from this state, but occasional absences for short periods need not be deemed by the commissioner of welfare to constitute a removal, provided the home shall be continuously maintained within the state. 1941

Sec. 321f. Settlement not to be acquired while receiving aid. No person shall acquire a settlement or be in process of acquiring a settlement while receiving aid under this chapter. 1941

Sec. 322f. Aid inalienable. Aid provided under this chapter shall be inalienable by assignment, sale, attachment, execution or otherwise. 1941

Sec. 323f. Aid subject to amendment or repeal. Any aid granted under this chapter shall be subject to the provisions of any amending or repealing act that may be passed, and no beneficiary or other person shall have any vested right to any such aid. 1941

Sec. 324f. Penalties for fraud and violation. Any person who shall receive aid under the provisions of this chapter through misrepresentation or fraud, and any person who shall defraud or assist in defrauding the state as to the support of such child or children, shall be fined not more than two hundred dollars or imprisoned not more than six months or both, and shall forfeit to the state the amount of aid so procured; and any person who shall violate any other provision of this chapter shall be fined not more than two hundred dollars or imprisoned not more than six months or both. 1941

Sec. 325f. Court order in re charge of child, when necessary. Nothing in this chapter shall authorize any public official, agent or representative, in carrying out any provision hereof, to take charge of any child over the objection of either the father or the mother of such child, or of the person standing in loco parentis to such child, except pursuant to a proper court order. 1941

Sec. 326f. Use of records and files. The commissioner of welfare shall establish and enforce reasonable rules and regulations governing the custody and use of the records, papers, files and communications concerning persons applying for, or receiving assistance under this chapter. When names and addresses of recipients of aid to dependent children shall be required by law to be furnished to or held by any other agency or department of government, such agency or department of government shall be required to adopt rules and regulations necessary to prevent the publication of lists thereof or their use for purposes not directly 1941

connected with the administration of aid to dependent children. No person shall, except for purposes directly concerned with the administration of aid to dependent children, and in accordance with the rules and regulations of the commissioner of welfare, solicit, disclose, receive, make use of or authorize, knowingly permit or participate in, or acquisce in the use of, any list of, or names of, or any information concerning, persons applying for or receiving such assistance, directly or indirectly derived from the records, papers, files or communications of the state or its subdivisions or agencies, or acquired in the course of the performance of official duties.

1941 **Sec. 327f. Application and investigation not required when.** The commissioner of welfare may waive the requirements of sections 313f and 314f in the case of any person actually in receipt of aid under the provisions of chapter 99 upon July 1, 1941.

1941 **Sec. 328f. Repeal.** Chapter 99 is repealed, except that said chapter shall be continued in force to July 1, 1942, in relation to those receiving aid or entitled to receive aid, under said chapter 99 upon July 1, 1941, or until the commissioner of welfare shall furnish aid to such persons under this act prior thereto.

1941 **Sec. 329f. Collection of moneys.** The commissioner of welfare is authorized to collect any moneys due the state from towns and counties after July 1, 1941, for aid furnished under said chapter 99, in the same manner as provided in section 1929, as amended.

THE MENTALLY HANDICAPPED

Mentally Ill Persons

Sec. 249f. This chapter, and any other portion of the general statutes, is amended by striking out the word "insane" wherever said word appears and substituting therefor the words "mentally ill," and by striking out the word "asylum" wherever said word appears and substituting therefor the words "hospital for mental illness". See Appendix (XXXVI). 1941

Sec. 1726. Definitions. In this chapter the words and expressions following shall have the several meanings assigned to them, unless there shall be something in the subject or context repugnant to such construction: "Hospital for mental illness" shall mean any public or private hospital, retreat, institution, house or place in which any mentally ill person is received or detained as a patient for compensation, but shall not include any state prison county jail or almshouse, nor any public reformatory or penal institution of this state; "mentally ill person" shall include each idiot and lunatic and non compos, mentally ill and distracted person; "patient" shall mean any person detained and taken care of as a mentally ill person; "keeper of a hospital for mental illness" shall mean any person, body of persons or corporation which has the immediate superintendence, management and control of a hospital for mental illness and the patients therein; "support" shall include all necessary food, clothing and medicine and all general expenses of maintaining state institutions for the mentally ill; "indigent person" shall mean any person having an estate insufficient, in the judgment of the court of probate, to provide for his support in a private institution or hospital for mental illness during the probable period of his detention there and for the support of those necessarily dependent upon him during such period, any person having no estate for whose support there are persons legally liable and able to contribute or any person having no estate whose friends, though not legally liable, are willing to contribute to his support. 1918, S. 1653. 1665

Sec. 1727 as amended by Sec. 568e. Court records, commitment; uniform forms: service of process. All proceedings of the court of probate, upon application made under the provisions of this chapter, shall be in writing and filed in such court, and, whenever a court shall pass an order for the admission of any pauper or indigent person to any state hospital for mental illness, it shall record the same and give a certified copy of such order and of the reports of the physicians and selectmen to the person by whom such pauper or indigent person is to be taken to the hospital, as the warrant for such taking and commitment, and shall also forthwith transmit a like copy to the commissioner of welfare. All orders of commitment and commitment papers issued in committing mentally ill persons to public or private hospitals for mental illness shall be in accordance with a form prescribed by the attorney general, which form shall be uniform throughout the state. For all such commitments, the commissioner of welfare shall cause suitable blanks, in accordance with said form, to be printed and furnished at the expense of the state. State hospitals and other hospitals for mental illness shall, in so far as they are able, upon reasonable request of any officer of a court having the power of commitment, send one or more trained attendants or 1918, S. 1663 1696 1925, C. 112 1930, S. 1727 1935, S. 675c 1937, S. 366d

nurses to attend any hearing concerning the commitment of any mentally ill person and any such attendant or nurse, when present, shall be designated by the court as the authority to serve such commitment process as may be issued under the provisions of this chapter; and the actual expense of such commitment shall be taxed by the court and paid as are the other costs in such proceedings.

1945 **Sec. 403h. Psychiatric clinics.** Each state hospital for mental illness shall establish psychiatric clinics for adult persons, including those who are or have been under legal control of mental hospitals.

1939 **Sec. 572e. State board on hospital districts.** A state board on hospital districts is created, consisting of a member of the board of trustees delegated by its chairman and the superintendent of The Connecticut State Hospital, one such member and the superintendent of The Norwich State Hospital and one such member and the superintendent of The Fairfield State Hospital. Said board on hospital districts shall meet within the first two weeks of June and within the first two weeks of December, annually, at which meetings they shall establish a district from which mentally ill persons in need of state hospital care shall be admitted or committed to each of said hospitals.

1945 **Sec. 395h. Joint committee of state mental hospitals.** There is established a joint committee of the state mental hospitals. At the annual meeting of each of the state mental hospitals the trustees of each one of said hospitals shall appoint three members from among their number who shall constitute the joint committee. Said joint committee shall appoint annually from among their number a chairman, vice-chairman and secretary. The superintendents of the state hospitals shall meet with the joint committee as ex-officio members but without voting power. Said joint committee shall meet at least quarterly for discussion of the general conduct and affairs of said hospitals and shall meet at other times upon the call of the chair or on the written request of three members. Five members shall constitute a quorum. Said joint committee may draw up such rules, regulations and by-laws as they deem best for the conduct of their affairs. The committee may appoint and fix the compensation for such professional and clerical help as they deem necessary. The expense of such professional and clerical assistants shall be divided equally among the three state hospitals. The trustees of each hospital may, on the recommendation of the joint committee, request appropriations in the budget of each hospital to meet such expense.

1945 **Sec. 396h. Placement of mentally ill in boarding homes.** The superintendent of any state hospital for the mentally ill, with the approval of the board of trustees of such hospital, may place any mentally ill person committed to said hospital under the provisions of this chapter, in a private boarding home for mental patients to be cared for in accordance with the following conditions: (a) Such person shall, despite such transfer, remain subject to the control of the superintendent of such state hospital, and such superintendent may, at any time, order and provide for the return of any such patient to such hospital, subject to any limitations of the term of commitment as contained in the order of commitment under which such patient was committed to a state hospital. (b) When the transfer of any such person has been authorized or when, having been transferred to a private home for men-

tal patients, such person has been returned to the state hospital, the superintendent of such hospital shall forthwith so notify the commissioner of welfare. (c) Such private boarding homes for the care of mental patients shall be licensed by the state department of health under such joint regulations as the public health council and the joint committee at the state mental hospitals adopt.

Sec. 397h. Payment for board and care. The state, through the agency of the state hospital authorizing such transfer to a private boarding home for mental patients, shall pay any necessary additional cost for the board and care of such mentally ill person in excess of the regular rates that such person, his legally liable relatives, or any town is paying in accordance with this chapter unless said person or his legally liable relatives are able to pay such additional cost or any part thereof. 1945

Sec. 398h. Report to governor. The joint committee of said hospitals shall report, on or before December 15, 1946, to the governor, of their actions pursuant to the provisions of sections 395h and 396h, with recommendations for legislation in relation thereto. 1945

Sec. 573e. Admissions to state hospitals. Such hospital districts shall be established upon the basis of admission rates for the various towns and cities of the state and in such manner as to result in an approximately equal number of admissions to each of said hospitals. The districts so established shall be the districts from which persons shall be admitted or committed as patients in said hospitals. 1939

Sec. 574e. Information. Said board on hospital districts shall cause the information concerning said districts to be made available to admitting and committing authorities by letter or public notice or both. 1939

Sec. 575e. Expenses. The expenses of each member of said board on hospital districts shall be met from the appropriation of the hospital which he represents. 1939

Sec. 1728 as amended by Sec. 675c. Commissioner of welfare to be notified. In any case when a person shall be committed to any institution for the mentally ill or feeble-minded, the court or authority ordering such commitment shall, within ten days thereafter, forward by mail a copy of the commitment papers to the commissioner of welfare. 1927, C. 64, S. 3 1930 1935

Sec. 1729. Court of probate to keep record of mental illness cases. Each court of probate shall keep a record of the cases relating to mentally ill persons coming before it under this chapter, and the disposition of them. It shall also keep on file the original complaint and certificate of physicians required by this chapter. 1918, S. 1682 See Sec. 1727

Sec. 1730. Jurisdiction of commitments to hospitals for mental illness. The jurisdiction of the commitment of a mentally ill person to a hospital for mental illness shall be vested in the court of probate for the district in which such person resides or, when his place of residence is out of the state or unknown, in which he may be at the time of filing the complaint, except in cases where it is otherwise expressly provided by law. Courts of probate shall exercise such jurisdiction only upon written complaint alleging in substance that such person is mentally ill and is a fit subject to be confined in a hospital for mental illness. Such complaint may be made by any person and, if any mentally ill person shall be at large and dangerous to the community, the selectmen of the town in which he resides or in which he shall be at large shall make such application. 1918, S. 1654 See Sec. 1733

1918, S. 656, 1657, 658, 1659

Sec. 1731. Proceedings upon complaint. Restraint pending proceedings. Necessary evidence. Upon such complaint being filed in the probate court, such court shall assign a time, not later than ten days thereafter, and a place, for hearing such complaint, and shall cause reasonable notice thereof to be given to the person alleged to be mentally ill and to such relative or relatives and friends as it may deem advisable. Such court may also issue a warrant for the apprehension and bringing before it of the person complained of, and shall see and examine such person, if in its judgment his condition or conduct shall render it necessary or advisable so to do, or state in its final order why it was not necessary or advisable so to do. If such court shall be satisfied that such person is a dangerous person to be at large, it may make such order for his restraint and custody while the proceedings are pending as it may deem advisable; but such person shall not be prevented from having all reasonable opportunities to consult counsel and friends and to prepare and make his defense to such application. In addition to such oral testimony as may be offered at such hearing, the court shall require the sworn certificate of at least two reputable physicians selected by the court, whom it shall find to be graduates of legally organized medical institutions and to have been practitioners of medicine at least three years within this state, and not connected with any hospital for mental illness, nor related by blood or marriage to the complainant, nor to the person alleged to be mentally ill, to the effect that they have personally examined such person within ten days of such hearing and that in their opinion such person is mentally ill and a fit subject for confinement in a hospital for mental illness. If, on such hearing, the court shall find that the person complained of is mentally ill and a fit subject for treatment in a hospital for mental illness or that he ought to be confined, it shall make an order for his commitment to a hospital for mental illness to be named in such order, there to be confined while such mental illness shall continue or until he shall be discharged in due course of law, and commanding some suitable person to convey him to such hospital for mental illness and deliver him, with a copy of such order and of such certificates, to the keeper thereof. In appointing a person to execute such order, the court shall give preference to a near relative or friend of the mentally ill, so far as it shall deem it practicable and judicious. Such court may, after hearing, when it shall find it to be for the best interest of the person so committed, revoke such order of commitment. See Appendix (XXXVII).

1918, S. 655, 1671 1919, C. 184 1921, C. 110 S. 1 1929, C. 116 1930 1935

Sec. 1732 as amended by Sec. 676c. Detention of violently mentally ill persons. Any person who has suddenly become in need of care and treatment in a hospital for mental illness may be confined in such hospital, either public or private, for not more than thirty days without order of any court. At the time of delivery of such person to such hospital, there shall be left, in the hands of the person in charge thereof, a certificate signed and sworn to by some reputable physician not more than three days prior thereto stating, that after a personal examination made not more than three days prior to the date of such certificate, he is of the opinion that the person therein named is in need of immediate treatment and the reasons therefor. If such person shall have been admitted to any state hospital for mental illness, the person in charge thereof shall, immediately upon the delivery of such person to such hospital, notify the commissioner of welfare, in writing, who shall cause

Sec. 1731. Cited 113 C. 604.
Sec. 1732. Cited. 123 C. 650.

proceedings to be instituted for the commitment of such person in the court of probate having jurisdiction in the town where such hospital is located, and, in case such person shall be committed upon application of the commissioner of welfare, he shall collect from the town in which such person has a settlement, or from such person or persons as may be liable for his support, the amount expended for such commitment and for the support and benefit of such person in the manner provided in sections 1733, 1745 and 1747. Except when otherwise provided by statute, no person shall be committed or admitted to or detained in a hospital for mental illness without an order of a court of probate, provided, when a person who has suddenly become clearly and violently mentally ill shall be brought to such hospital, such person may be received and detained therein for not more than thirty days without order of a court of probate, in accordance with the provisions of this section.

Sec. 1733 as amended by Sec. 569e. Commitment of mentally ill paupers. Support. When a pauper in any town shall be alleged to be mentally ill, a selectman of such town shall apply to the court of probate for the district wherein such pauper resides for his commitment to a state hospital for mental illness, and such court shall appoint two physicians of recognized standing, who shall fully investigate the facts of the case and report to the court; and, if such physicians shall report that such pauper is mentally ill and the court shall so find, it may order him to be taken to one of the state hospitals for mental illness, where he shall be kept and supported as long as may be requisite. Three dollars a week of the expense of his support and commitment fees shall be paid by the town wherein he has a legal settlement; and, in default of evidence of legal settlement in any town, or responsibility of any other person for the support of such person and commitment fees shall be paid by the state; but, in the case of a pauper or indigent person who, while residing in any public or private institution of a charitable nature, has become mentally ill and who, previous to his admission to such institution, had no legal settlement in the town wherein such institution is located or in any other town in the state, the support of such person shall be paid by the state. 1918, S. 1660; 1921, C. 96; 1939; 1937, S. 367d

Sec. 1734. Commitment of mentally ill indigents. When an indigent person not a pauper shall be alleged to be mentally ill, application may be made by any person in his behalf to the court of probate for the district wherein he resides and such court shall appoint two physicians of recognized standing and a selectman of the town wherein such indigent person is alleged to reside, who shall fully investigate the facts and report to such court; and such selectman shall include in his report a full statement of the facts relating to the residence of such alleged mentally ill person and his estimate of the value of such mentally ill person's estate and of the pecuniary responsibility of the person or persons legally liable for his support so far as he can ascertain the same. If the court of probate, upon consideration of the report of such physicians and such selectman, shall find that such person is indigent and mentally ill and is a resident of any town within its jurisdiction, it may order such person to be taken to one of the state hospitals for mental illness, where he shall be kept and supported as long as may be requisite. The judge making the order of com- 1918, S. 1661

Sec. 1733. Pauper defined; history of law. 84 C. 549. Residence of pauper; what town chargeable with support. 69 C. 1. Father of mentally ill person liable for expense incurred by town. 23 C. 356.

Sec. 1734. "Indigent" defined. 84 C. 549.

mitment shall state therein the town of which he finds such indigent person to be a resident and the amount of his estate so reported to the court and the name, address and relationship to the mentally ill person of any person legally liable for his support.

1918, S. 1678
1927, C. 104

Sec. 1736. Release or removal; procedure. Any court of probate may order the discharge of any person who shall have been held in confinement as mentally ill under the order of such court, upon application and satisfactory proof that such person has been restored to reason. Such court may, for reasonable cause shown, order any person confined in a hospital for mental illness to be removed to any other hospital for mental illness in this state. If the officers, directors or trustees of a state hospital for mental illness shall be notified by the superintendent or other person in a managerial capacity of such institution that he has reason to believe that any person committed thereto by order of a probate court is not mentally ill or a suitable subject to be confined in such institution, such officers, directors or trustees may discharge such person.

See Secs. 1750, 1764

1918, S. 1679
1945

Sec. 1737. New statute. Sec. 393h. Mentally ill patients; parole; temporary absence. The superintendent or keeper of any institution used wholly or in part for the care of the mentally ill may, under such restriction or agreements as he shall deem advisable, permit any inmate thereof temporarily to leave such institution, in charge of his guardian, relatives or friends, or by himself, for a period of time not exceeding one year. The original order of commitment shall remain in force and effect until such patient shall be officially discharged by the authorities of such institution. Should it appear to be for the best interest of the public or for the interest and benefit of such patient, he may return or be returned by his guardian, relatives or friends or he may be recalled by the authorities of such institution, at any time during said one year and prior to his official discharge. The expense, if any, of such recall or return shall, in the case of an indigent, be paid by those responsible for his support or, in the case of a pauper, by the town of which he is a resident; but nothing herein contained shall be construed to apply to the criminally mentally ill, nor those against whom criminal proceedings may be pending. See Appendix (XXXVIII).

1918, S. 1683

Sec. 1738. Mentally ill persons entitled to writ of habeas corpus. All mentally ill persons confined in a hospital for mental illness in this state shall be entitled to the benefit of the writ of habeas corpus, and the question of mental illness shall be determined by the court or judge issuing such writ, and, if the court or judge before whom such case is brought shall decide that the person is mentally ill, such decision shall be no bar to the issuing of such writ a second time, if it shall be claimed that such person has been restored to reason. Such writ may be applied for by such mentally ill person or on his behalf by any relative, friend or person interested in his welfare.

1918, S. 1685

Sec. 1739. Patient may be detained in a hospital for mental illness at his own request. Any hospital for mental illness may receive for observation and treatment any person who in writing requests to be received; but no such person shall be confined in any such hospital for mental illness for more than ten days after he shall have given notice in writing of his desire to leave, without commitment from some court of competent jurisdiction.

Sec. 1737. Legal presumptions created by commitment under this statute entirely removed by discharge of patient as cured. 113 C. 604.

Sec. 1739. Cited. 124 C. 174. Note 123 C. 651.

Sec. 1740. Penalty for conspiring to commit any person to a hospital for mental illness. Any person who shall wilfully cause, or attempt to cause, or who shall conspire with any other person to cause any person who is not mentally ill to be committed to any hospital for mental illness, and any person who shall wilfully certify falsely to the mental illness of any person in any certificate provided for in this chapter, and any person who, under the provisions of this chapter relating to mentally ill persons, shall wilfully report falsely to any court or judge that any person is mentally ill, shall be fined not more than one thousand dollars or imprisoned in the State Prison not more than five years or both. 1918, S. 1690

Sec. 1741 as amended by Sec. 677c. Commitment after expiration of specified period. The commissioner of welfare, upon certificate from the superintendent or other person in charge of any state hospital for mental illness that, in his opinion, any person who shall have been confined therein for a specified period of time pursuant to the order of any court or of the governor, is mentally ill at the expiration of such period, shall cause proceedings for the commitment of such person to be instituted in the probate court having jurisdiction in the town in which such hospital is located; and, in case such person shall be committed upon application of the commissioner of welfare and shall be an indigent or a pauper, the commissioner of welfare shall collect from the town in which such person has a settlement or from the person or persons who may be liable for his support, the amount expended for such commitment and for the support and benefit of such person, as provided in sections 1733 and 1747. 1923, C. 75 1930 1935

Sec. 1742. Recommitment of escaped mentally ill persons. The name of any person who shall have escaped from any institution for mental illness and shall not have been returned to such institution within one year thereafter shall be stricken from the records of such institution and such person shall not thereafter be returned to such institution except upon further commitment by some court of competent jurisdiction. 1927, C. 63

Sec. 1743 as amended by Sec. 678c. Commitment; to what hospitals. Any mentally ill person, the expense of whose support is paid by himself or by another person, may be committed to any institution for the care of the mentally ill designated by the person paying for such support; and any indigent mentally ill person, not a pauper, committed under the provisions of this chapter shall be committed to any state hospital for mental illness which is equipped to receive him, at the discretion of the court of probate, upon consideration of a request made by the person applying for such commitment. (See Sec. 572e). 1918, S. 1664 1930 1935

Sec. 1744. Expenses to be paid by whom. When any person shall be found mentally ill, upon proceedings had under this chapter, all fees and expenses incurred upon such proceedings shall be paid out of the estate of such mentally ill person, if he have sufficient estate, and, if not by his relatives liable to support him if of sufficient ability, and if there be none such, by the town to which he belongs; and, in case such person shall be found not to be mentally ill, such fees and expenses shall be paid by the complainant. 1918, S. 1681

Sec. 1745 as amended by Sec. 679c. Cost of support of paupers and indigents. The commissioner of welfare shall annually determine the cost per capita per week for the support of mentally ill persons in state institutions and shall render bills quarterly during the year ensuing at such rate per week to the conservator of 1918, S. 1662 1919, C. 345, S. 1 1921, C. 349 1923, C. 75 1930 1935

Sec. 1743. Will construed to permit trustees to use funds for patient committed to one institution because other had no room to receive him. 84 C. 554.

each inmate of a state hospital having estate or to those persons in any way liable to contribute to the support of such inmate; provided the court of probate having jurisdiction of the estate of any such inmate of which there is a conservator may, upon the application of the commissioner of welfare or any person interested, after due notice and hearing, determine the allowance necessary for the support of any dependents of such inmate and the amount to be paid to the state for the support of such inmate, which amount to be paid to the state may be more or less than the cost of such support per capita per week as determined by the commissioner of welfare. The action of any such court shall at any time be open to revision or modification after due notice and hearing and shall be subject to appeal as in other cases. In case of indigents having no estate and no relatives liable for their support, such bill shall be sent to the person, if any, whom the court of probate ordering the commitment shall find to be willing to contribute to such support and for the amount such court shall find persons willing and able to pay. The commissioner of welfare shall also render, quarterly, to each town a bill for the amount payable by such town on account of support of town pauper inmates as provided in section 1733, and the same shall thereupon become due and payable.

1918, S. 1666
1921, C. 398
1930
1935

Sec. 1746 as amended by Sec. 679c. Payment for support in state hospitals. All bills for support of inmates in state hospitals for mental illness shall be paid to the commissioner of welfare, who shall keep an account of the same and turn over the amount received in payment thereof to the state treasurer. At the end of each month, the board of trustees at each state hospital for mental illness shall transmit to the comptroller a statement of all bills contracted by it in the maintenance and upkeep of such hospital, to which shall be attached vouchers for the same bearing an indorsement of the approval of such board by some person authorized to act in its behalf, which statement, verified by oath of the superintendent of the institution or by the president of such board, upon approval by the comptroller, shall be filed in his office and adjusted and settled by him under the provisions of section 126. In such statement there may be included such sum as the trustees of such hospital estimate will be required for contingent or undetermined cash expenditures during the month next ensuing. Such board of trustees shall also, at the end of each quarter, transmit to the commissioner of welfare a certified list of all inmates of such hospitals during such quarter, with the dates between which each person has been such inmate, and designating the class to which each belongs, whether "full payment," "indigent," "town pauper" or "state pauper."

1918, S. 1667
1919, C. 208
1921, C. 101
1923, C. 75
1925, C. 17
1930
1935, S. 679c
1941, S. 250f
1943

Sec. 1747 as amended by Sec. 369g. Reimbursement of state, town or city for support. When any person shall have been supported, wholly or in part, as a pauper, by the state or any town or city within the state, or any sum shall have been paid by the state or any town or city within the state for the support of any such person in a humane institution, whether such person shall have been committed thereto as a pauper or as an indigent, or otherwise, such person or his estate shall be liable to reimburse the state or such town or city for the amount expended by the state or such town or city for his support or benefit, and such amount may be recovered in a civil action in the name of the state or such town or city. If any such person shall have a hus-

Sec. 1747. Applies to a past expenditure. 93 C. 573.
Sec. 1747. Cited. 127 C. 58.
Sec. 1747. Statute construed. 119 C. 511-513.

band, wife, father, mother, child, *** grandparent, grandchild, conservator or guardian. who is able to reimburse the state or such town or city, wholly or in part, for the sums expended by the state or such town or city for his support or benefit, the commissioner of welfare in the case of the state, the first selectman in the case of any town, or the superintendent of public welfare or department having charge of public welfare in the case of any city, may, in the name of the state or such town or city, as the case may be, bring a complaint therefor *** in any court having jurisdiction thereof in the county in which such husband, wife, relative, conservator or guardian shall reside, or, if several be liable, in the county in which any of them shall reside, against such husband or wife or any such relative, or his or her executor or administrator or such conservator or guardian; and any other such person who might, under the provisions hereof, have been made a defendant in such action may be cited in as a party defendant on motion of either party thereto; said court may render judgment against the defendant, or each or any of the several defendants, in favor of the state or such town or city for the sum so expended, or such portion thereof as the court shall find to be reasonably commensurate with the financial ability of any such defendant and the number and conditions of others dependent upon him, and payment of such judgment may be secured by attachment and execution issued thereon. The statute of limitations shall not apply to any such claim and any claim by the state or such town or city for reimbursement from the estate of any deceased person shall be presented to the executor or administrator therof within the time limited for the presentation of other claims against such estate, but failure to so present such claim shall not prevent recovery from any other person hereby made liable therefor. When any such person supported by the state or any town or city within the state shall die leaving personal estate not exceeding five hundred dollars in value, the commissioner or the first selectman of such town or the department having charge of public welfare or superintendent of public welfare of such city, as the case may be, unless some person interested in such estate shall take out administration thereon within ninety days after such death, take such estate for the use of the state, town or city, as the case may be, sell such personal property and collect moneys due to or on deposit for or in the name of such person, and any bank, person, fiduciary agent, trustee, administrator or corporation having custody of such funds shall pay the same to the commissioner or to the first selectman of the town or the department having charge of public welfare or the superintendent of public welfare of the city, as the case may be, on demand and his receipt shall be sufficient authority to and discharge of such bank, person, fiduciary agent, trustee, administrator or corporation for such payment.

Sec. 1748 as amended by Sec. 249f. Support of mentally ill persons accused of crime. When any person, charged with any offense punishable by fine or imprisonment, or both, shall have been found not guilty because of mental illness and, by reason of such mental illness, shall have been committed to any institution supported in whole or in part by the state for confinement or treatment, or when any person shall have been committed to any reformatory institution supported by the state or to the state farm for women, the expense for the support and treatment of such person while so committed shall be paid out of the estate of such person; and, if such person shall have no estate, such expense shall be paid by the town to which he belongs in the manner provided for in section 1733, and, if he shall belong to no town in this state, such expense shall be paid by the state; provided the state

1921, C. 152
1941

may be reimbursed in case of any such commitment in the manner provided in section 1747.

1930
S. 1749
1935
1939, S. 571e
1941, S. 251f
1945

Sec. 1749. New statute. Sec. 394h. Conservators for mentally ill or feeble-minded persons supported by state. Whenever any person having property or an interest in property shall be committed to a state institution for the mentally ill or feeble-minded or, subsequent to such commitment, shall acquire property or an interest in property, and shall be supported in whole or in part at the expense of the state, and no conservator, guardian, administrator or trustee shall have been appointed for such person, or of his estate if such person has died, the commissioner of welfare, his regularly appointed deputy or the superintendent of the institution to which such person is committed, may apply in writing to the probate court, in the district in which such person has or had his residence or domicile, for the appointment of a conservator for such person or an administrator of his estate; provided if any such person is or was not a resident of this state, such application may be made to the probate court in the district where such property or some part thereof is situated. If the property of such mentally ill or feeble-minded patient is personal property, or an interest in any insurance policy or in any beneficial organization, or an interest in the estate of a decedent, or any debt due such patient, not in excess of five hundred dollars, and no guardian or conservator shall have been appointed, the commissioner of welfare shall be the guardian or conservator of such patient, without court proceedings, only for the purposes hereinafter specified. He shall have authority to make any compromise or exercise any option, with the approval of the attorney general, for the purpose of collecting such funds or property. He shall have authority to release, in behalf of such patient, his estate, any bank, insurance company, beneficial organization, executor, administrator, trustee, fiduciary agent, corporation or individual, and, upon demand, any bank, insurance company, beneficial organization, executor, administrator, trustee, fiduciary agent, corporation or individual shall pay to the state of Connecticut, or to such person or persons as said commissioner shall direct, the amount due. The receipt of said commissioner or his agent shall be sufficient authority for such bank, insurance company, beneficial organization, executor, administrator, trustee, fiduciary agent, corporation or individual for such payment, and shall discharge its or his liability therefor.

1918, S. 1668, 1669
1921, C. 92
1930
1935, S. 679c
1939

Sec. 1750 as amended by Sec. 679c. Release and transfer of inmates of humane institutions. Whenever any person has been or shall be committed by any court to any state hospital for the mentally ill or other humane institution, the commissioner of welfare or any person interested may, at any time thereafter, make application to the court making the order of commitment for a revocation or modification of such order or of the terms and conditions thereof. Such court shall thereupon order such notice of the time and place of hearing thereon as it shall deem advisable, shall hear and determine such application and may thereupon revoke, modify or affirm such order, and the action of the court thereon shall be subject to appeal as in other cases. Any inmate of a state institution for the mentally ill, epileptic or feeble-minded may be transferred to any other state institution for the mentally ill, epileptic or feeble-minded by order of the court making the original commitment of such inmate, upon application in writing by the superintendent of the institution from which such transfer is to be made. Such court shall transmit copies of such order forthwith to the commissioner of welfare, and the institu-

See Sec. 1736

tion from which transfer is made shall pay all costs of such order and transfer. The commissioner of welfare may at any time cause an inmate of one state hospital for mental illness to be removed to another state hospital for mental illness, as the circumstances or necessities of the case may require. See Appendix (XXXIX) and (XL).

Sec. 1751. Institutions may transfer patients by agreement. 1921, C. 92
Any person who has been committed by any court to a hospital for mental illness may be transferred to any other hospital for mental illness upon agreement of the superintendents of the respective institutions from and to which it is desired to make such transfer. Such agreement shall be in writing, executed in triplicate and in accordance with a form prescribed by the attorney general, which form shall be uniform throughout the state. One copy of such agreement shall be filed for record in the court by which such person was committed and one copy retained in the files of each of the institutions participating in such transfer. Any such agreement shall have the same effect as an order of the court committing the person named therein. The conservator, overseer or any member of the family of any person so transferred, or his next friend, may make application to the court which made the order of commitment, for a revocation or modification of such agreement, and thereupon such court shall order such notice of the time and place of hearing thereon as it shall find reasonable and upon such hearing may revoke, modify or affirm such transfer. See Appendix (XLI).

Sec. 399h. Transfer of mentally ill jail convicts to hospital. 1945
When, in the opinion of the jailer of any common jail, any person confined in such jail has from any cause become mentally ill, or appears to be mentally ill, such jailer shall immediately request the superintendent of the state mental hospital of the zone in which such jail is located to assign a psychiatrist from the staff of such state hospital to examine such person. If it appears from such examination that such person is mentally ill, the jailer of such jail, upon the certification of such psychiatrist, may transfer such person to a state hospital for mental illness, there to be safely kept until the expiration of the term for which such person was committed to such jail, or until such person has recovered from his mental illness. At the time of such transfer, such psychiatrist shall present to the superintendent of such hospital a sworn statement to the effect, that in such psychiatrist's opinion, such person is mentally ill and in need of immediate hospital treatment. Thereupon, such superintendent shall notify the commissioner of welfare, in writing, of all the material facts concerning transfer to and detention of such person in such hospital.

Sec. 400h. Return to jail upon recovery. If, before the expiration of the term for which such person was committed to such jail, such person, in the opinion of the superintendent of such hospital, has recovered his reason, such superintendent shall forthwith report the fact to the jailer of such jail, who shall take such person from such hospital and deliver him to the proper authorities of such jail. 1945

Sec. 401h. Recommitment proceedings. When any person has been transferred from a common jail to a state hospital for mental illness and is confined in such hospital at the time of the expiration of the term of imprisonment for which he was committed to such jail and is mentally ill, the superintendent of such 1945

hospital shall certify such facts in writing to the commissioner of welfare. Thereafter such commissioner shall cause proceedings to be instituted in accordance with section 676c.

1945 **Sec. 402h. Expenses of commitment.** The expenses for board and care and other necessary costs of commitment shall be paid in the manner provided for payment of such expenses and costs for persons subject to the provisions of this chapter.*

1918, S. 1709, 1710 **Sec. 1752. Removal of mentally ill convicts from jail to hospital.** When, in the opinion of the jailer of any common jail, any person confined in such jail has from any cause become mentally ill, or shall appear to be mentally ill, such jailer shall immediately report the fact to the governor, and thereupon the governor shall appoint a commission of not more than three experts to examine such person, which commission, having been duly sworn, shall at once proceed to such jail and so far as possible ascertain the mental condition of such person, and shall make a report in writing to the governor as to the sanity or insanity of such a person. If it shall appear from such report that in the opinion of such commission such person is mentally ill, and the governor shall approve such report, he shall issue an order to such jailer or to any proper officer, to take such person, together with a certified copy of the record of his commitment to jail and a certified copy of such report, and deliver such person and such record and report to the superintendent of one of the state hospitals for mental illness, there to be safely kept until the expiration of the term for which such person was committed to such jail, or until such person shall have recovered from his mental illness. If, before the expiration of the term for which such person was committed to such jail, such person shall, in the opinion of the superintendent of such hospital, have recovered his reason, such superintendent shall forthwith report the fact to the governor, who shall appoint a commission as hereinbefore provided, to examine such person and report as to the sanity of such person to the governor in writing. If it shall appear from such report that such person shall have ceased to be mentally ill, and the governor shall approve such report, he shall issue an order to such jailer or any proper officer to take such person from such hospital and deliver him to the proper authorities of such jail. Any commission appointed under this section shall have power to put witnesses under oath, and the charges and expenses of any such commission, not exceeding five dollars per day for each member, shall be paid by the state. See Appendix (XLII).

1943 **Sec. 372g. Immediate transfer of mentally ill convicts to a hospital.** Any jailer may cause any person confined in the jail under his supervision whom he believes to be mentally ill to be examined by a reputable physician, and, upon the recommendation of such physician, may transfer such person to a state hospital for mental illness, there to be kept pending the investigation required by section 1752 of the general statutes. At the time of such transfer such physician shall present to the superintendent of such hospital a sworn statement, made not more than three days previously, of his opinion that such person is mentally ill and in need of immediate treatment. The expenses of such temporary confinement shall be borne by the county in which such jail is located.

1918, S. 1711, 1712, 1713 **Sec. 1753. Detention of mentally ill convict after his term. Expense. Discharge.** When any convict shall have been transferred from a common jail to a state hospital for mental illness

* It may be that Sec. 399h-Sec. 402h supercede both Sec. 1752 and Sec. 1753.

and shall be confined in such hospital at the time of the expiration of the term of imprisonment for which he was committed to such jail and shall be mentally ill, the superintendent of such hospital shall certify said facts to the governor, who may issue an order for the further detention of such person in such hospital until he shall have recovered from his mental illness; and the governor shall cause such order to be transmitted to such superintendent. The expense of such confinement, support and treatment shall be paid out of the estate of such person, if he have any estate; if he have no estate, it shall be paid by the town to which he belongs, and if he shall belong to no town in this state, it shall be paid by the state. When such person shall have fully recovered from his mental illness, the superintendent of such hospital shall dismiss him therefrom. See Appendix (XLII). See Sec 1747

Sec. 1754. Attendant to be provided for mentally ill female. 1918, S. 1672
Whenever any mentally ill female shall be committed to a hospital for mental illness under the provisions of this chapter, the court shall, unless such female is to be accompanied by a member of her own family, direct that at least one adult female shall accompany her.

Sec. 1755. Appeal. Any person aggrieved by any order, denial or decree of the court of probate under this chapter, including any relative or friend, on behalf of any person found to be mentally ill, shall have the right of appeal as in other cases. The court of probate, on an appeal, shall make all necessary orders of notice to the parties to the proceedings and to such other persons as it may deem advisable; as may require the appellant to give bond, with sufficient surety, to the state to prosecute such appeal to effect and to pay all the legal costs and expenses thereof if unsuccessful, and may refuse to allow such appeal unless such bond be given or, at its discretion, allow such appeal without such bond. On the trial of an appeal, the superior court may require the state's attorney or, in his absence, some other practicing attorney of the court to be present for the protection of the interests of the state and of the public. 1918, S. 1673, 1674

Sec. 1756. Commitment suspended on bond for confinement. 1918, S. 1675
The court of probate, before or pending or in the absence of an appeal, and the superior court, after finding on an appeal that such person is mentally ill, may, in its discretion, suspend the commitment of such person to a hospital for mental illness and continue such suspension for such time as it shall deem advisable, if any suitable person shall give a bond to the satisfaction of such court, conditioned for the confinement of such person in a suitable place of detention other than a hospital for mental illness and for answering all damages which any person shall suffer in consequence of such suspension; but, in such case, the court may make the order of commitment whenever reasonable cause therefor shall be shown. After commitment to a hospital for mental illness, the court may suspend his confinement in such hospital for mental illness upon the giving of bond as above set forth, such suspension to continue until terminated by the court. See Sec. 1750

Sec. 1757. Court may direct as to care of mentally ill pending appeal. Pending an appeal to the superior court, said court or, if said court is not in session, any judge of the superior court, may make and enforce such reasonable orders for the care and custody of the person complained of as it or such judge shall deem reasonable. 1918, S. 1676

Sec. 1758. Removal of mentally ill person to town of his residence. When any mentally ill person who ought to be confined shall go at large in any town other than the town of his residence, 1918, S. 1677

the selectmen of the town where he is at large may cause him to be removed to the town where he has his residence, and any justice of the peace for the county may issue a warrant for his removal.

1927, C. 64, S. 1, 2, 4
1930
1935

Sec. 1759 as amended by Sec. 679c. Service of process in actions wherein mentally ill or feeble-minded persons are interested. In any action or proceeding to which any person confined in any institution for the mentally ill or feeble-minded in this state shall be a party or which shall affect or relate to the property rights of any such person a copy of the writ and complaint or proceeding shall be sent by registered mail to the commissioner of welfare at Hartford. No action shall abate because of any failure to comply with the provisions of this section, but the court before whom any such action or proceeding is pending shall, upon finding that no notice has been given said commissioner of welfare, order that a copy of the writ and complaint or proceeding be sent as provided herein. A copy of any writ and complaint or other process in any action to which any person confined in any institution for the mentally ill or feeble-minded in this state shall be a party, requiring service on such person, shall be left with the superintendent of such institution, or his representative, at the time service of such writ and complaint or process shall be made on such person.

1918, S. 1686
1919, C. 121
1930
1935

Sec. 1760 as amended by Sec. 680c. Visits to patients in hospitals for mental illness. An attorney at law retained by or on behalf of any patient in any hospital for mental illness, or any medical practitioner designated by such patient or by any member of his family or by a relative or friend of such patient, shall be admitted to visit such patient at all reasonable hours, if, in the opinion of the keeper of such hospital for mental illness, such visit would not be injurious to such patient or if a judge of the superior court shall first order in writing that such visit be allowed or if the approval of the commissioner of welfare shall be first secured.

1918, S. 1687

Sec. 1761. Patient may communicate with friends in writing. All persons detained as mentally ill shall at all times be furnished with materials for communicating under seal with any suitable person without the hospital for mental illness, and such communications shall be stamped and mailed daily. Should the patient desire it, all rational communications shall be written at his dictation and duly mailed to any relative or person named by the patient. See Appendix (XLIII).

1918, S. 1688, 1689
1930
1935, S. 681c
1941

Sec. 1762 as amended by Sec. 252f. Hospitals for mental illness to be inspected by public welfare council. All hospitals for mental illness in this state shall be subject to the inspection and visitation of the public welfare council, and shall be so visited and inspected at least once in six months in each year. Each keeper of a hospital for mental illness in this state shall, quarterly, make written return to said public welfare council, stating the name, age and sex of each patient confined therein and the time when committed and by whom, which return shall contain such other information and be in such form as said public welfare council may prescribe.

1918, S. 1691, 1692

Sec. 1763. Commitment by judge of superior court. On a written complaint made to any judge of the superior court that a person named therein is mentally ill and unfit to go at large, such judge shall immediately appoint a committee consisting of a physician and two other persons, one of whom shall be an attorney at law, judge or justice of the peace, who, after such person has

been notified according to the order of such judge of the superior court, shall inquire into such complaint and report to him the facts of the case and their opinions thereon; and, if in their opinion, such person should be confined, such judge shall issue an order therefor, and may tax reasonable costs and issue execution therefor.

Sec. 1764. Commission to inquire whether person is wrongly confined. Any judge of the superior court, on information to him that any person is unjustly deprived of his liberty by being detained or confined in any hospital for mental illness, or in any place for the detention or confinement of the mentally ill, or in any inebriate hospital in this state, or in the custody and control of any individual under an order of a court of probate, may appoint a commission of not less than two persons, who, at a time and place appointed by them, shall hear such evidence as shall be offered touching the case. Such commission need not summon the party claimed to be unjustly confined before it, but shall have one or more private interviews with him and shall also make due inquiries of the physicians and other persons having charge of such place of detention or confinement, and within a reasonable time thereafter report to such judge the facts and its opinion thereon and, if, in its opinion, such person is not legally detained or confined in such place, or is cured, or his confinement is no longer beneficial or advisable, such judge shall order his discharge; but no commission shall be appointed with reference to the same person oftener than once in six months. The judge before whom any of the proceedings provided for in this section shall be had may tax reasonable costs at his discretion. 1918, S. 1693 See Sec. 1736

Sec. 1765 as amended by Sec. 370g. Licensing of institutions for care of the mentally ill. No person, firm or corporation shall conduct or maintain within this state an institution for the treatment or detention of mentally ill persons, or of persons suffering from other abnormal mental or nervous conditions, unless such person, firm or corporation shall, upon written application, verified by oath, have obtained a license therefor from the state department of health, provided the commissioner of health may give authorization for the care of nervous and mental patients when their condition is without hope of improvement under psychiatric treatment, and when such care can be given without injury to the patient, other persons or property, under such regulations as the public health council shall adopt. Said department shall prescribe a reasonable sanitary code for such institutions. After receiving an application and making such investigation as shall be deemed necessary and after finding the specified requirements to have been fulfilled, said department shall grant a license to such applicant to conduct an institution of the character described in such application, which license shall specify the location of such institution and the name of the person to have charge thereof. Any person, firm or corporation aggrieved by any requirement of said sanitary code or by the refusal to grant any license may, within twenty days of any order directing the enforcement of any provisions of such sanitary code or the refusal of such license, appeal to the superior court for the county in which such institution is located or to a judge thereof, if said court shall be in vacation. Each such institution shall be in charge of a physician registered under the laws of this state who is a diplomate of The American Board of Psychiatry and Neurology, or a physician registered under the laws of this state who has had at least three years' experience as a full-time medical attendant in some institution for the care and treatment of mentally ill persons or of persons suffering from other abnormal mental or nervous condi- 1918, S. 1695 1930, S. 1765 1935, S. 682c 1937, S. 369d 1943

tions. If the licensee of any such institution shall desire to place in charge thereof a person other than the one specified in the license, application shall be made to the state department of health, in the same manner as provided for the original application, for permission to make such change, which application shall be acted upon within ten days from the date of the filing of the same. Each license granted under this section shall provide that any person under treatment or detention by the licensee shall be entitled to all the rights to which a patient in a hospital for mental illness is entitled under the provisions of sections 1760 and 1761, and all such persons shall be informed of their rights under said sections, by the licensee in such manner as said department may prescribe. Each such license shall terminate on the thirty-first day of December of each year and may be revoked by the state department of health upon proof that the institution for which such license was issued is being improperly conducted or for the violation of any of the provisions of this section, or of the sanitary code, provided the licensee shall first be given a reasonable opportunity to be heard in reference to such proposed revocation. Any person, firm or corporation aggrieved by such revocation may appeal to the superior court in the same manner as hereinbefore provided. Each person, firm or corporation, upon filing an application under the provisions of this section, shall pay to the state treasurer the sum of fifty dollars. Any person, firm or corporation who shall conduct any institution, contrary to the provisions of this section shall be fined not more than one thousand dollars or imprisoned not more than six months or both. Nothing in this section shall be construed to change the duties or authority of the public welfare council under the provisions of section 713c.

1918, S. 1697, 1698. 1699 1943

Sec. 1766 as amended by Sec. 371g. Commitment of narcotic addicts. Support. The first selectman of any town, or the official of any city or borough having charge of the poor, wherein any person resides, if such person shall have a legal residence, or may be found if such person shall have no such residence, who is addicted to the use of any narcotic drug, shall, or any person interested in any such person may, apply to the court of probate for the district containing such town, city or borough for the commitment of such person to any state hospital for mental illness, and such court shall thereupon appoint two skilled physicians, who shall make an examination of such alleged addict and an investigation to determine the advisability of such commitment, and shall report the results of such examination and investigation to such court at such time as the court shall designate for a hearing upon such application. If the court shall find such person to be addicted to the use of any narcotic drug and it shall be for the welfare of such person, it may order his commitment to said hospital until cured or discharged, as provided by law. If such alleged addict shall be a public charge, the court shall also require the first selectman or the official having charge of the poor of the town, city or borough where such alleged addict shall have a legal residence or shall be found, to investigate and discover the estate, if any, of such addict and the persons responsible for the support of such addict and report thereon to the court at such hearing. If the court shall find such addict to be a pauper, the municipality wherein such addict shall have a legal residence shall pay the costs of such commitment and shall pay said hospital five dollars each week for the support of such addict during such commitment. If such addict shall be an indigent, such persons as are legally chargeable for his support shall pay the costs of such commitment and shall pay said hospital five dollars each week for the support of such addict during his commitment, or so much thereof as the

See Sec. 1747

court may determine, and the balance shall be paid by the municipality of which such addict shall be a legal resident. If such addict shall have no legal residence in this state, the costs of such commitment and his support during such commitment shall be paid by the state. Such commitments shall be upon forms provided in accordance with section 1727 and shall be executed by any proper officer or person designated by the court.

Sec. 1767. Admission without commitment. The superintendent of said hospital may receive therein as a patient any person desirous of submitting himself to treatment for such drug habit upon written application therefor, and such person shall pay said hospital the reasonable expenses for his support and treatment. No such patient shall be detained in said hospital more than five days after having given notice in writing to the superintendent of said hospital of his intention to depart. 1918, S. 1700

Sec. 1768. Only curable cases treated. Whenever said superintendent shall be of the opinion that any person committed under the provisions of section 1766 and 1767 is suffering from a curable disease, or such drug habit is curable, such person shall be confined in said hospital until cured; and, whenever said superintendent shall be of the opinion that any person committed under the provisions aforesaid, is suffering from an incurable disease and requires the administration of any narcotic drug, such person may be discharged and notice of such discharge shall be given by said superintendent to the court of probate committing such person. Upon the discharge of any such person, the superintendent of said hospital shall deliver to him a certificate signed by said superintendent, stating that he is suffering from an incurable disease and requires the administration of a narcotic drug, which certificate shall be filed with a druggist approved by the state department of health, whose place of business may be convenient to the residence of such person, and such druggist may fill the prescription of any skilled physician prescribing a narcotic drug for such addict, which prescription may show an increased dosage of such drug over the dosage provided for in the prescription next preceding given to such addict. 1918, S. 1701

Sec. 1769. Fees, compensation and costs. Each officer or indifferent person making legal service of any order, notice, warrant or other paper under the provisions of this chapter, shall be entitled to the same compensation as is by law provided for like services in civil cases. Physicians, for examining a person alleged to be mentally ill and making a certificate as provided by this chapter, shall be entitled to a reasonable compensation, to be fixed by the court of probate. The fees of the courts of probate shall be such as are provided by law for similar services. The superior court, on an appeal, may tax costs at its discretion. 1918, S. 1680

Sec. 1770. Penalty. Any keeper of a hospital for mental illness who shall wilfully violate any of the provisions of this chapter shall be fined not more than two hundred dollars or imprisoned not more than one year or both. 1918, S. 1694

Sec. 1771. Persons charged with crime not affected. The provisions of this chapter shall not extend to or affect in any way the cases of persons convicted of or charged with crime. See Appendix (XLI). 1918, S. 1684

Sec. 5179. Order for support of mentally ill defendant. The court may, when a divorce shall be granted on the ground of incurable mental illness, at the time of granting such divorce or at any time thereafter, on application of either party or of the guar- 1918, S. 5284
1921, C. 99

dian or conservator of the mentally ill spouse, or of any person, town or municipality charged with the support of the mentally ill spouse, make such order requiring support of the defendant, or security for such support, as may be proper, but no order shall be made providing for continued support of a sane wife from the estate of a mentally ill husband, after the remarriage of such wife, and any order relating to the support of such defendant, at any time thereafter, on application of either party or of the guardian of the mentally ill spouse, or of any person, town or municipality charged with such support, may be set aside or altered by said court. Any order providing for the support of the mentally ill party shall be enforceable in the same manner as orders relating to alimony.

1918, S 5737

Sec. 5610. Entries and memoranda of mentally ill and incapable persons. In the trial of any civil action in which any party thereto is, at the time of such trial, mentally ill or unable to testify by reason of incurable sickness, failing mind, old age, infirmity or senility, the entries and memoranda of such party, made while sane, relevant to the matter in issue, may be received as evidence. Whenever the entries and memoranda of any such mentally ill person or person unable to testify would be admissible, under the provisions of this section, in his favor in any action to which he is a party, such entries and memoranda may be admitted in favor of any person claiming title under or from such mentally ill person or person unable to testify. The court shall determine, upon competent evidence, as a preliminary question of fact, whether the provisions of this section apply to any party or parties to any action on trial before it.

1918, S. 6353

Sec. 6184. Aiding escape of mentally ill persons and dipsomaniacs. Any person who shall aid or abet, or who shall conspire with another to aid or abet, the escape from any hospital or sanatorium of any person committed to such hospital or sanatorium as mentally ill or as an habitual drunkard or dipsomaniac, shall be fined not more than five hundred dollars or imprisoned not more than two years or both.

See Sec. 1790

1918, S. 6584
1930
1931

Sec. 6431 as amended by Sec. 1722c. Examination of accused who appears to be mentally ill. The officer in charge of any person committed for trial to the county jail, on binding over process, mittimus, bench warrant or appeal, or any one in behalf of the accused person, shall, if it shall appear to such officer or to any one acting in behalf of such accused, at the time of such commitment or before or during the trial, that such accused is mentally ill or so mentally defective that he is unable to understand the proceedings against him, immediately present such fact to the judge having jurisdiction of the offense with which such accused is charged, and such judge shall, if he be of the opinion that the mental condition of the accused is probably so defective that he is unable to understand the proceedings against him, hold a hearing to determine the mental condition of the accused, notice of such hearing having been given to the state's attorney or prosecutor of the court having jurisdiction of the offense and to counsel for the accused. The judge may, if it appear advisable, appoint not less than two or more than three reputable, disinterested and qualified physicians, who shall examine the accused as to his mental condition and make written report thereof to the court, duly verified, and testify at the hearing, and their report shall be then placed in evidence, so far as it may be relevant and material. Any evidence regarding the accused's mental condition may be introduced at the hearing by either party. If the court, upon the hearing, shall decide that the accused is able to under-

stand the proceedings against him, it shall proceed with the trial, but, if it shall decide that the accused is not able to understand the proceedings because he is mentally ill or mentally defective, it shall commit him to one of the state hospitals for the mentally ill in this state, for confinement, support and treatment until the time of his trial. If the superintendent or other official acting as manager of such institution shall be of the opinion that the accused is neither mentally ill nor so mentally incapable as to be unable to understand such proceedings, he shall report such fact to the court which committed the accused. Upon receipt of such report, the court shall fix a time for a hearing to determine whether the accused is able to understand such proceedings. Such hearing shall be conducted in the same manner as the hearing in the first instance to determine the mental condition of the accused. If, after such second hearing, the court shall decide that the accused is able to understand such proceedings, it shall proceed with the trial; but, if it shall decide that the accused is still not able to understand such proceedings, it shall recommit him to a state hospital for mental illness or to an institution for the mentally defective. The expense of such examination shall be taxed as a part of the costs in the prosecution against such person and paid in the same manner as costs in criminal prosecutions in the superior court.

Sec. 6432. Disposition of accused acquitted on the ground of mental illness. The superior court, any criminal court of common pleas or any city or police court, before which any person shall be tried on any criminal charge and acquitted on the ground of mental illness or dementia, may order such person to be confined in either of the state hospitals for mental illness for such time as such court shall direct, unless some person shall undertake before such court, under bond to the state, to confine such person in such manner as such court shall order; and such court shall appoint an overseer for such person, if he have any estate, with the same powers and duties as conservators appointed by courts of probate, such overseer giving suitable bond to the state, conditioned for the faithful performance of his trust; and, if such person shall have no estate and shall belong to any town in this state, the expense of his confinement, support and treatment shall be paid by such town and the state in the same manner as is by law provided in the case of pauper patients committed by courts of probate; and, if such person shall have no estate and shall not belong to any town in this state, such expense shall be paid by the state. 1918, S. 6585

Sec. 6433. Release of person sentenced under preceding section. Any person who shall have been tried on any criminal charge and acquitted on the ground of mental illness or dementia and confined in either of the state hospitals for mental illness may petition, or the officers of such institution may petition, the superior court of the county in which he is confined, for his enlargement, and the petition shall be served like civil process upon the selectmen of the town to which he shall belong and upon the person, if any, upon whom the offense was charged to have been committed and upon the state's attorney of the county in which the trial was had, and said court shall make such order as to his disposal as it shall deem proper, and the state's attorney shall ap- 1918, S. 6586

Sec. 6432. Degree of incapacity to render person criminally irresponsible. 39 C. 591; see 87 C. 5. As to use and effect of verdict of not guilty on ground of mental illness, see 96 C. 243. See notes to sec. 6043.

pear and represent the state on such petition; and, if such person so confined shall be unable to defray the expenses of such petition, the court which heard the same may tax the same against the state as in criminal cases.

1918, S. 6587

Sec. 6434. Disposition of mentally ill person upon expiration of term. When any person shall have been tried on any criminal charge and acquitted on the ground of mental illness or dementia, and shall have been confined in a hospital for the mentally ill for any specific term by the order of the court before which such trial was had, and shall, at the expiration of such term, still be suffering from mental illness or dementia, the superintendent of such hospital shall certify such facts to the state's attorney for the county wherein such trial was had, and the state's attorney shall thereupon procure, from such court or, if such court be not in session, from any judge thereof, and such court, or any judge thereof if such court be not in session, is empowered to issue, an order for the further confinement of such person in such hospital until he shall recover from such mental illness or dementia, which order, when issued by a judge, shall by him be certified to the clerk of such court, and the clerk of such court shall thereupon transmit to such superintendent a new warrant of commitment based upon such order. The expense of such further confinement, support and treatment shall be paid out of the estate of such mentally ill person or, if he have no estate, such expense shall be paid by the town to which such person shall belong and, if he shall belong to no town in this state, such expense shall be paid by the state.

State Hospitals for Mental Illness

1918, S. 1702

Sec. 1772. Property. Power to sue. The land of the state and its appurtenances in Middletown shall be and remain for the use of The Connecticut State Hospital. Said hospital shall have power to sue in its own name for all debts or demands due to said hospital.

1918, S. 1703
1704, 1705
1707, 1708
1919, C. 112
1921, C. 107

Sec. 1773. Trustees; appointment; powers and duties. Superintendent. The government of The Connecticut State Hospital shall be vested in a board consisting of the governor, ex-officio and twelve trustees, one from each county and four from the vicinity of said institution, to be appointed by the governor. The governor shall, biennially, appoint four trustees who shall hold office each for the term of six years from the first day of July of the year of his appointment and the governor may fill any vacancy which may occur. Said trustees shall serve without compensation. They shall have charge of the general interests of the institution, make and execute its by-laws, appoint and remove its officers and attendants and fix their compensation and exercise a strict supervision over all of its expenditures, and may receive, by bequest, devise or gift, property for the use of the hospital, and make purchases of lands and take deeds therefor in the name of the state. They shall appoint a superintendent, not of their own number, who shall be a competent physician and reside in or near the hospital. They shall make suitable provisions for the reception of mentally ill convicts into said hospital and may authorize the superintendent to admit patients under special agreements when there shall be vacancies.

1939

Sec. 577e. Psychiatric attendants; training school. The trustees of the Connecticut State Hospital are authorized to establish a school for the training of psychiatric attendants and to issue to the graduates from said school suitable diplomas or certificates. Such graduates shall be authorized to practice as psychiatric at-

tendants only in mental hospitals of this state. Said trustees shall establish such standards and rules as may be necessary to carry out the provisions of this act.

Sec. 1774. Admittance. The Norwich State Hospital shall remain as established, and shall be open for patients upon such conditions as the trustees shall prescribe, always giving preference to the most urgent cases and to the people of this state. 1918, S. 1714

Sec. 1775. Trustees; appointment; powers and duties. Superintendent. The government of said hospital shall be vested in a board consisting of the governor and twelve trustees to be appointed by him, one from each county and four from the vicinity of the institution. The governor shall, biennially, appoint four trustees, each of whom shall hold office for six years from the first day of July of the year of his appointment. The governor may fill any vacancy which may occur. Said trustees shall serve without compensation. They shall have charge of the general interests of the institution, make and execute its by-laws, appoint and remove its officers and attendants and fix their compensation and exercise a strict supervision over all its expenditures, and may receive, by bequest, devise or gift, property for the use of the hospital, and may make purchases of lands and take deeds therefor in the name of the state. They shall appoint a superintendent, who shall be a competent physician and reside in or near the hospital. All his accounts, with suitable vouchers, shall be submitted to the trustees as they shall require. He shall, before entering upon his duties, give a bond to the state treasurer, with acceptable sureties, in the sum of five thousand dollars, conditioned that he shall faithfully account for all moneys and property received by him as superintendent; but no trustee shall be superintendent of the institution during his term of service or afterwards. The trustees may authorize the superintendent to admit patients into said hospital under special arrangement when there shall be vacancies. 1918, S. 1715 1716, 1717, 1719

Sec. 1776. Commitments; general provisions. All statutory provisions relating to the commitment of mentally ill persons to The Connecticut State Hospital at Middletown shall apply to and authorize commitments to The Norwich State Hospital, or any other state hospital for mental illness which may hereafter be established, with the same force and effect, and to the same extent, as if said The Norwich State Hospital or other state hospital for mental illness was especially mentioned in the statute authorizing such commitment. 1918, S. 1720

Special Acts 1929, No. 445 as amended by Sec. 683c. Trustees; appointment and term. On or before June 1, 1937, and biennially thereafter, the governor shall appoint four trustees of The Fairfield State Hospital for a term of six years and until their successors shall be appointed and shall have qualified. The governor shall fill any vacancy which may occur among said trustees by appointment for the unexpired portion of the term. 1931

Inebriates and Dipsomaniacs

Sec. 1791. Commitment. When any person shall have become an habitual drunkard, a dipsomaniac or so addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control, the court of probate for the district in which 1918, S. 1748

Sec. 1791. Purpose of statute; residence defined; relative includes one by marriage. 90 C. 529.

he resides or is domiciled shall, on application of the selectmen of the town where he resides or is domiciled or of any of his relatives, and after such reasonable notice to him as it may prescribe, make due inquiry and, if it shall find him to be an habitual drunkard, or so far addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control, shall order him to be taken to some inebriate asylum in this state, for treatment, care and custody, or committed to the care, custody and control of some suitable individual, for not less than four nor more than twelve months, but, if it shall find him to be a dipsomaniac, shall commit him to such asylum or individual for three years. The court shall not in either case make such order without the certificate, under oath, of at least two reputable practicing physicians, given after a personal examination, made within one week before the time of such application or commitment, that, in their opinion, such person has become a dipsomaniac or an habitual drunkard, or has, from the intemperate use of narcotics or stimulants, lost the power of self-control, and ought to be placed in care of some inebriate asylum or of some suitable individual.

1945 **Sec. 408h. Board of trustees of state fund for inebriates.** There is hereby created a board of trustees of the state fund for inebriates, hereinafter called the board. On or before July 1, 1945, the governor shall appoint five members of the board, designating one for each of the terms of one, two, three, four and five years from said July first. Annually thereafter, the governor shall appoint one member of the board to succeed the member whose term then expires. Any vacancy occuring in the membership of the board shall be filled by the governor for the unexpired portion of the vacated term. At least two members of the board shall be persons licensed to practice medicine in this state. Three members of the board shall constitute a quorum for the transaction of business and the board shall meet once a month, or more frequently, at the call of the presiding officer of the board. The members of the board shall receive no compensation but shall be reimbursed for their actual and necessary expenses in connection with the work of the board.

1945 **Sec. 409h. Officers of board.** The members of the board shall annually elect from their number a chairman and a vice-chairman. The members of the board may elect one of their number as secretary, or they may designate the executive director of the board, appointed as hereinafter provided, as such secretary.

1945 **Sec. 410h. Duties.** The board shall study the problem of alcoholism, including methods and facilities available for the care, custody, detention, treatment, employment and rehabilitation of persons addicted to the intemperate use of spirituous or intoxicating liquors. The board shall promote meetings for the discussion of problems confronting clinics and agencies engaged in the treatment and rehabilitation of alcoholics and shall disseminate information on the subject of alcoholism for the assistance and guidance of residents and courts of the state. The board shall make such reasonable regulations respecting the care, treatment and discipline of patients and persons committed to its care and the management of its affairs as it deems necessary.

1945 **Sec. 411h. Acquiring of land, buildings and equipment. Construction.** The board, upon the recommendation of the governor and with the approval of the finance advisory committee, is authorized to purchase, rent or lease land, buildings and equipment now available and deemed necessary and suitable for carrying into effect the provisions of Sections 408h to 422h, inclusive.

If no such land and buildings are available, the board. upon the recommendation of the governor and the approval of the finance advisory committee, is authorized to purchase in the name of the state a suitable site for, and enter into contracts for the construction and equipment of, such building or buildings thereon in accordance with section 59g, as may be necessary and adequate for the care, custody and treatment of persons who voluntarily seek the assistance of said board and persons committed to the custody of said board by court order as hereinafter provided. For the purpose of acquiring existing land, buildings and equipment, or for the purchase of land and the construction and equipment of facilities for the treatment of patients under its treatment or control, the board, upon recommendation of the governor and with the approval of the finance advisory committee, is authorized to borrow from the general fund a sum not to exceed one hundred thousand dollars to meet the cost thereof, which borrowing shall constitute a temporary loan to be discharged from the funds available to said board in the inebriate fund hereinafter provided for, or from funds appropriated to said board by the general assembly. The board shall have the management and control of such land, buildings, equipment and facilities so acquired, and all its financial affairs shall be conducted subject to the state fiscal procedure prescribed by law.

Sec. 412h. Liquor permit fees to be deposited in inebriate fund. Nine per cent of all the moneys received by the liquor control commission as fees for permits under any provision of the liquor control act, as amended, and turned over to the state treasurer, shall be, by said treasurer, deposited in a separate fund to be known as the inebriate fund . The state treasurer shall honor the requisition of funds by the board when recommended by the governor and approved by the finance advisory committee for any of the activities authorized by Sections 408h to 422h, inclusive. 1945

Sec. 413h. Gifts to fund. The board may accept or refuse on behalf of and in the name of the state any gift of any valuablet thing, however the gift be created, for any purpose connected with the work of the board. Any such property, so given shall be received and held by the treasurer of the state and shall become part of the inebriate fund, but the board, upon recommendation of the governor and with the approval of the finance advisory committee, shall have the power to direct the disposition of any property so donated to it, for any purpose consistent with the terms and conditions under which such gift was created. 1945

Sec. 414h. Executive director of board. The board may appoint from outside its number, and may remove for cause, an executive director whose duties shall be to supervise the business and financial affairs of the board, and to cooperate with courts, hospitals and clinics, social agencies, educational and research organizations, public health and police authorities and members of the general public in carrying into effect the provisions of Sections 408h to 422h, inclusive. The board shall appoint, and shall have power to remove for cause, a superintendent, who shall not be a member of the board and who shall be a person admitted to the practice of medicine in this state, to serve as the medical director of all phases of the board's activities. Any executive director and any superintendent so appointed shall not be within the classified service of the state, and their respective compensations shall be determined by the governor, the commissioner of finance and control and the personnel director. Subject to the provisions of the merit system and within funds available to the board, it may employ such other assistants as may be necessary to carry into effect the provisions of Sections 408h to 422h, inclusive. 1945

1945 **Sec. 415h. Building requirements.** Any buildings maintained by said board shall be so constructed that the patients therein shall be segregated according to sex and such other classifications as may be prescribed by said board. The building or buildings maintained by said board for the treatment of persons addicted to the intemperate use of spirituous or intoxicating liquors shall be deemed an inebriate asylum within the meaning of that expression as used in any statute of this state.

1945 **Sec. 416h. Commitment.** The superior court, any criminal court of common pleas, any town or municipal court or any justice of the peace having criminal jurisdiction; and any probate court pursuant to the provisions of section 1791, may commit to the custody and control of said board for a period of not less than four months, nor more than three years, any habitual drunkard, any dipsomaniac, or any person who has been three times convicted of intoxication in any such court, or who is a person who has lost the power of self control from the intemperate use of spirituous or intoxicating liquors.

1918, S. 1749
1752
1930, S. 1792 **Sec. 417h. Probation, discharge.** Any person committed to any inebriate asylum in this state, may, notwithstanding the terms of any order of commitment, be permitted by its managers to go at large on probation and without custody or restraint, for such time and under such conditions as such managers shall judge best. Persons placed in an inebriate asylum, under any provision of this chapter, may be discharged by its manager, pursuant to its regulations.

1918, S. 1750
1930, S. 1793
1945 **Sec. 418h. Voluntary patients.** The managers, trustees or directors of any inebriate asylum, established by the laws of this state, may receive any habitual drunkard. and dipsomaniac, or any person who has lost the power of self control through the intemperate use of spirituous or intoxicating liquors, who shall apply to be received into such asylum, retain him not more than one year and treat and restrain him in the same manner as if committed by the court of probate.

1945 **419h. Assistance upon request.** The board shall accept for examination, diagnosis, guidance or treatment at any facility or clinic under its control any person who requests such assistance. and under such regulations as may be prescribed by the board.

1945 **Sec. 420h. Commitment proceedings for mentally ill persons in custody of board.** The superintendent of the board may bring commitment proceedings, in the probate court in the district wherein the board maintains an inebriate asylum, for commitment to such institutions as such court may direct, of any person who has been committed to the custody and control of the board and who is mentally ill.

1945 **Sec. 421h. Costs of commitment and support.** The provisions of law with respect to the costs of commitment and the costs of support, including methods of determination of the persons liable therefor, and all provisions of law enabling the state to secure reimbursement for any such items of cost, applicable to the commitment to and support of mentally ill persons in state hospitals, shall apply with equal force in respect to each item of expense incurred by the state in connection with the commitment, care, custody and treatment of any person committed to the board or to any inebriate asylum maintained by it.

1945 **Sec. 422h. Report.** On or before December first in each even-numbered year, the board shall render a report to the governor and the general assembly of its activities, including recommendations for improvements therein, by legislation or otherwise.

Sec. 1794. Officers to assist managers of inebriate asylums. 1918, S. 1751
Sheriffs, constables and city police officers shall assist the managers, trustees and directors of any inebriate asylum established by law in the exercise of the powers and discharge of the duties vested in such managers, trustees and directors.

Sec. 1795. Estate of inebriate liable for his support at asylum. 1918, S. 1753
The estate of any inebriate or dipsomaniac, received by or committed to any inebriate asylum, shall be liable for his support therein; and the expenses of any proceedings herein provided for shall be paid in the manner and by and to the person that the court or judge before whom the case shall be heard shall order and direct, and such court or judge is authorized to issue execution for such costs accordingly.

Mansfield State Training School and Hospital

Sec. 1777. Purpose. The Mansfield State Training School and Hospital for the care, custody, treatment, education and employment of feeble-minded and epileptic persons shall remain as established. 1918, S. 1754

Sec. 405h and 407h. Clinics for retarded persons and epileptics. The Mansfield State Training School and Hospital and the Southbury Training School shall establish clinics for retarded persons or persons suffering from epilepsy. 1945

Sec. 1778 as amended by Sec. 253f. Superintendent; officers of board of trustees. The government and control of said institutions shall be vested in a board of trustees, consisting of seven members. The governor shall biennially appoint, with the advice and consent of the senate, trustees to succeed those whose terms expire from time to time, to hold office for four years. The governor may remove any trustee for cause and may fill any vacancy by appointing a trustee for the remainder of any unexpired term. No trustee shall receive any compensation for his services. Said trustees shall have charge of the property of the state which may be used for the purposes of the institution, shall make and execute its by-laws, appoint and remove its officers, attendants and employees and fix their compensation and exercise a strict supervision over its expenditures, and may receive and hold in trust property given by will or otherwise, for the benefit of feeble-minded or epileptic persons, and may make purchases of land and take deeds therefor in the name of the state. They shall appoint a superintendent who shall not be one of their number, and who shall be a reputable, trained administrator of institutions engaged in the care, custody, treatment and training of mentally deficient, feeble-minded or epileptic persons, with at least five years' experience as the superintendent or administrative assistant of such an institution, and shall fix his salary and prescribe his duties when not otherwise provided by law. They shall annually elect from their number a president and a secretary of such board who shall hold office until their successors shall be chosen. The president shall preside at all meetings of the board and the secretary shall keep in a book provided for the purpose a record of all votes and doings of the board. Said board of trustees shall meet at said institution as often as once every three months and whenever notified by the president of said board to do so. The superintendent shall, annually, or oftener if required by them, present to the trustees a written report of the management of said institution, 1918, S. 1755, 1758, 1759 1941 See Sec. 184

setting forth in detail all receipts and disbursements and the general condition of the affairs of the institution. The trustees shall report biennially to the general assembly, accompanying their report with the annual report of the superintendent.

1918, S. 1765
1939

Sec. 1779 as amended by Sec. 578e. Rules and regulations. Parole. The trustees may make such rules and regulations respecting the care, custody and discipline of inmates and the management of the institution and its affairs as they may deem for the best interest of the inmates and the state. All persons admitted to the institution shall, until discharged therefrom, be under the custody and control of the superintendent, subject to such regulations as the trustees may adopt. Said superintendent may restrain and discipline any inmate in such manner as he may deem necessary for the welfare of the inmate and the proper conduct of the institution. No inmate shall be discharged from such institution until, in the judgment of the superintendent, his mental and physical condition shall justify such discharge. Any inmate may be released on parole for such length of time and on such conditions as said superintendent may, from time to time, determine, but the written request of the superintendent shall be sufficient warrant to authorize any officer of the Mansfield State Training School and Hospital or any officer authorized to serve criminal process to return to said training school and hospital any person so released on parole or who has escaped from the institution, and such officer shall hold such person when so requested and shall be paid for such service such fees as are provided for arresting and holding persons under criminal process.

1918, S. 1760
1919, C. 345, S. 1
1921, C. 349
1930
1937, S. 579e
1941

Sec. 1780 as amended by Sec. 254f. Maintenance of inmates; report to the commissioner of welfare. The cost of maintenance of each inmate shall include the cost of food, clothing, treatment, training and custody. The estate of each inmate, if he have any, shall be liable for the entire expense of his maintenance, but should the estate of any inmate be in the hands of a conservator and there be a wife or any child dependent upon him, so much of his estate shall be applied for the support of those dependent upon him and so much to his maintenance in the institution as shall be fixed by the court of probate having jurisdiction of the accounts of such conservator. All sums paid for the support of any inmate shall be paid to the commissioner of welfare or his agent, who shall turn the same over to the state treasurer. The commissioner of welfare shall send bills to the persons liable therefor. The cost of maintenance and the cost of commitment of any person committed to said institution shall be computed and paid for in accordance with the provisions of chapter 88; and, if he has not sufficient estate or legally liable relatives of sufficient ability to support him, the town wherein he has a settlement shall be liable for his institutional care. In case such inmate has no legal settlement in any town in this state at the time of his commitment, all of the expense of his maintenance, not collected from his estate or from those legally liable for his support, shall be borne by the state.

1918, S. 1762
1941

Sec. 1782 as amended by Sec. 256f. Commitments. Any court of probate shall have the power to commit to said institution any person residing in its district whom it shall find to be a feeble-minded or an epileptic person. In the case of a pauper, application shall be made by the selectmen of the town in which he resides. In all other cases, application may be made by any relative, a guardian or the commissioner of welfare, or by the selectmen of the town in which the allegedly feeble-minded or epileptic person resides. Upon application so being made, the court of

See Sec. 1750

probate shall set a time and place for hearing the same and shall appoint some reputable physician to examine the person alleged to be feeble-minded or epileptic who, at or before such hearing, shall make written return under oath stating whether or not in his opinion such person is feeble-minded or epileptic and whether or not such person is violently mentally ill or afflicted with any contagious disease. In case the application shall not be made by the selectmen, the court shall also appoint a selectman of the town of alleged residence, who shall investigate and report at the time of such hearing as to the residence and estate of the person alleged to be feeble-minded or epileptic and as to the pecuniary responsibility of those responsible for his support. If the court, after due hearing had, shall find the allegations in the application to be true and that the person alleged to be feeble-minded or epileptic resides within the jurisdiction of the court, and is not violently mentally ill or afflicted with any contagious disease, it may order the person so complained of to be committed to the Mansfield State Training School and Hospital, and, in such order of commitment, the court shall find and state the name, residence, date of birth of the person committed, the names, nationality and address of his parents, so far as the same can be ascertained, the amount of his estate and the amount per week which any person liable for his support can afford to pay for his maintenance in said institution. No such commitment shall be valid until approved by the governor, and two copies of such order of commitment shall be made, one of which shall be lodged in the office of the governor, and the other, bearing the indorsement of his approval, shall be left in the hands of the superintendent of the institution by the person appointed by the court of probate to serve the same and to deliver the person committed to said institution. See Appendix (XLIV) and (XLV).

1918, S. 1764
1930, S. 1783
1945

Sec. 428h. Training School. Recommitments and transfers. **(a) Defectives.** Mentally defective, feeble-minded or epileptic persons, not serious discipline problems, may be recommitted by a regular probate court commitment from any institution in the state to The Mansfield State Training School and Hospital or to The Southbury Training School. The probate court in the town where the institution is located from which the inmate is recommitted shall have jurisdiction. **(b) Defective delinquents.** Defective delinquents who are serious discipline problems may be recommitted by a court having jurisdiction from The Mansfield State Training School and Hospital and from The Southbury Training School to The Connecticut State Farm for Women or the Connecticut Reformatory, as the case may be, subject to sections 1800 and 1830 **(c) Inter-school transfers.** Any inmate of The Mansfield State Training School and Hospital or The Southbury Training School may be transferred from the institution to which he is committed to the other institution upon the agreement of the superintendents of said training schools. **(d) Mentally ill persons.** Mentally ill persons may be transferred from the Mansfield State Training School and Hospital and from The Southbury Training School to any state hospital for the mentally ill upon agreement of the superintendents of the respective institutions from and to which it is desired to make such a transfer. The state hospitals for the mentally ill may transfer any mentally defective or epileptic person, not psychotic and not a defective delinquent, to the Mansfield State Training School and Hospital and The Southbury Training School upon agreement of the superintendents of the respective institutions from and to which it is desired to make such a transfer. **(e) General.** The cost of any transfer or recommitment shall be paid by the institution from which the transfer is made.

When the inmate of any institution is transferred, the order of the commitment shall be retained in the original institution to which the patient was committed and a certified copy of such commitment, with the agreement of transfer, shall accompany the inmate to the institution to which he is transferred.

1918, S. 6428

Sec. 6275. Marriage of epileptics and imbeciles. Every man and woman, either of whom is epileptic, imbecile or feeble-minded, who shall intermarry, or live together as husband and wife, when the woman is under forty-five years of age, shall be imprisoned not more than three years.

1918, S. 6429

Sec. 6276. Procuring or aiding such marriage. Any person who shall advise, aid, abet, cause or assist in procuring the marriage of any person in violation of the provisions of section 6275, knowing such person to be epileptic, imbecile or feeble-minded, shall be fined not more than one thousand dollars or imprisoned not more than five years or both.

1918, S. 6430

Sec. 6277. Penalty for carnal knowledge in certain cases. Any man who shall carnally know any female under the age of forty-five years who is epileptic, imbecile, feeble-minded or a pauper shall be imprisoned not more than three years. Any man who is epileptic who shall carnally know any female under the age of forty-five years and any female under the age of forty-five years who shall consent to be carnally known by any man who is epileptic, imbecile or feeble-minded, shall be imprisoned not more than three years.

Operations to Prevent Procreation

1918, S. 2691
1919, C. 69
1939

Sec. 2683 as amended by Sec. 945e. Operations to prevent procreation permitted in certain state institutions. The directors of the state prison and the superintendents of the state hospitals for mental illness at Middletown, Newtown and Norwich, the superintendent of the Mansfield State Training School and Hospital at Mansfield Depot and the superintendent of the Southbury Training School at Southbury are authorized and directed to appoint for each of said institutions two skilled surgeons, who, in conjunction with the physician or surgeon in charge at each of said institutions, shall constitute a board the duty of which shall be to examine such inmates of said institutions as are reported to them by the warden or superintendent or the physician or surgeon in charge, to be persons by whom procreation would be inadvisable. Such board shall examine the physical and mental condition of such persons and their record and family history so far as the same can be ascertained, and, if, in the judgment of a majority of such board, procreation by any such person would produce children with an inherited tendency to crime, mental illness, feeble-mindedness, idiocy or imbecility and there is no probability that the condition of any such person so examined will improve to such an extent as to render procreation by any such person

Sec. 6275. This statute is valid; but marriage is not void. 78 C. 243; 88 C. 391.

Sec. 6275. A marriage in violation of this statute is not void, but if induced by fraudulent concealment of epileptic condition, the other party may be entitled to a divorce for fraudulent contract. 115 C. 305. Cited. 115 C. 594. 118 C. 505, 506.

Sec. 6277. Cited. 115 C. 594. The purpose of the statute is to protect the public and not merely the individual. 118 C. 502, 505, 506.

advisable, or if the physical or mental condition of any such person will be substantially improved thereby, then such board shall appoint one of its members to perform the operation of vasectomy or of oophorectomy, as the case may be, upon such person. Such operation shall be performed in a safe and humane manner, and the board making such examination and the surgeon performing such operation shall receive from the state such compensation for services rendered as the warden of the state prison or the superintendent of either of said hospitals shall deem reasonable.

Sec. 2684. Penalty for unlawful operation. Except as authorized by section 2683, any person who shall perform, encourage, assist in or otherwise promote the performance of either of the operations described in said section, for the purpose of destroying the power to procreate the human species, or any person who shall knowingly permit either of such operations to be performed upon such person, unless the same shall be a medical necessity, shall be fined not more than one thousand dollars or imprisoned in the State Prison not more than five years or both. 1918, S. 2692

The Southbury Training School

Sec. 257f. Name and purpose. The institution established and under operation at Southbury, shall be known as The Southbury Training School and shall exist for the care, custody, treatment, training and employment of mentally deficient, feeble-minded or epileptic persons.* 1941

Sec. 258f. Trustees, appointment; powers and duties. The government and control of said institution shall be vested in a board of trustees, consisting of seven members as established by number 506 of the special acts of 1935. Said trustees shall have charge of the property of the state, which may be used for the purposes of the institution; shall make and execute its by-laws; appoint and remove its officers, attendants and employees and fix their compensation, subject to the provisions of chapter 105a; shall exercise a strict supervision over the institution's expenditures; may receive and hold in trust property given by will or otherwise, for the benefit of mentally deficient, feeble-minded or epileptic persons, and may make purchases of land and take deeds therefor in the name of the state. They shall appoint a superintendent, who shall not be one of their number. The superintendent shall be a reputable, trained administrator of institutions engaged in the care, custody, treatment and training of children and youth, with at least five years' experience as the superintendent or administrative assistant of such an institution. The trustees shall fix his salary and prescribe his duties when not otherwise provided by law. They shall annually elect from their number a chairman, a vice-chairman, a treasurer and a secretary, each of whom shall hold office until his successor shall be chosen. The chairman shall preside at meetings of the board, and in his absence the vice-chairman shall preside. The treasurer shall have charge of any funds which shall come specifically into the hands of the trustees and shall submit annually, or at any time required, a statement of the same. The secretary shall keep in a book provided for the purpose a record of all votes and actions of the board. Said board of trustees shall meet at least once each month, and at such other times as the chairman may deem advisable. The superintendent shall, annually, or oftener if required by them, 1941

* See Sec. 405h page 131 Clinics for retarded persons and epileptics.

present to the trustees from himself and his staff, a written report of the management of said institution, setting forth in detail all receipts and disbursements and the general condition of the affairs of the institution. The trustees shall report biennially to the governor and the general assembly, accompanying their report with the annual reports of the superintendent.

1941 **Sec. 259f. Rules and regulations.** The trustees may make such rules and regulations respecting the care, custody and discipline of inmates and the management of the institution and its affairs as they may deem for the best interest of the inmates and the state. All persons admitted to the institution shall, until discharged therefrom, be under the custody and control of the superintendent, subject to such regulations as the trustees may adopt. No inmate shall be discharged from such institution until, in the judgment of the board of trustees, the superintendent and the director of medical and health services, his mental and physical condition shall justify such discharge.

1941 **Sec. 260f. Commitments.** Any court of probate shall have power to commit to said institution any person residing in its district whom it shall find to be a mentally deficient, feeble-minded or epileptic person. In the case of a pauper, application shall be made by the selectmen of the town in which the allegedly mentally deficient, feeble-minded or epileptic person resides. In all other cases, application may be made by any relative, a guardian or the commissioner of welfare or by the selectmen of the town in which the allegedly mentally deficient, feeble-minded or epileptic person resides. Upon application so being made, the court of probate shall set a time and place for hearing the same and shall appoint some reputable physician to examine the person alleged to be mentally deficient, feeble-minded or epileptic, which physician, at or before such hearing, shall make written return under oath stating whether or not such person is mentally ill, or afflicted with any contagious disease, or a carrier of the same. In case the application shall not be made by the selectmen, the court shall also appoint a selectman of the town of alleged residence, or, if in a city, the superintendent of welfare may be designated, and such selectman or superintendent shall investigate and report at the time of such hearing as to the residence and estate of the person alleged to be mentally deficient, feeble-minded or epileptic and as to the pecuniary responsibility of those responsible for his support. If the court, after due hearing held, shall find the allegations in the application to be true and that the person alleged to be mentally deficient, feeble-minded or epileptic resides within the jurisdiction of the court, and is not mentally ill or afflicted with any contagious or infectious disease, it may order the person so complained of to be committed to The Southbury Training School. In such order of commitment, the court shall find and state the name, residence, date of birth of the person committed, the names, nationality and address of his parents, so far as the same can be ascertained, the amount of his estate and the amount per week which any person liable for his support can afford to pay for his maintenance in said institution. No such commitment shall be valid until approved by the governor, and two copies of such order of commitment shall be made, one of which shall be lodged in the office of the governor, and the other, bearing the indorsement of his approval, shall be left in the hands of the superintendent of the institution by the person appointed by the court of probate to serve the same and to deliver the person committed to said institution.* See Sec. 428h. Recommitments and transfers. See Appendix (XLIV) and (XLV).

* See Sec. 428h. Recommitments and transfers.

Sec. 262f. Parole. The trustees may permit any inmate of the school to leave the institution on parole for such length of time and on such conditions as they may determine; and may, from time to time, extend the period of such parole or change the conditions upon which it is granted. They shall cause an investigation to be made prior to the granting of such parole as to the home into which such inmate is to go if paroled and other conditions and circumstances which may effect his welfare and behavior and shall provide such supervision of paroled inmates as they deem necessary for his welfare. They shall have such powers as to revocation of the permit and as to the return of the inmate to whom it has been granted as are provided by law for the return of mentally ill and feeble-minded persons to the institutions from which they have been temporarily released. No absence on parole under this section from said school shall be construed as a discharge therefrom. 1941

Sec. 263f. Criminal process for return of escaped persons. The written request of the superintendent shall be sufficient warrant to authorize any officer of The Southbury Training School or any officer authorized to serve criminal process to return to said school any person so released on parole or who has escaped from the institution, and such officer shall hold such person when so requested and shall be paid for such service such fees as are provided for arresting and holding persons under criminal process. 1941

Sec. 264f. Maintenance of inmates; report to commissioner of welfare. The cost of maintenance of each inmate shall include the cost of food, clothing, treatment, training and custody. The estate of each inmate, if he have any, shall be liable for the entire expense of his maintenance, but should the estate of any inmate be in the hands of a conservator and there be a wife or any child dependent upon him, so much of his estate shall be applied for the support of those dependent upon him and so much to his maintenance in the institution as shall be fixed by the court of probate having jurisdiction of the accounts of such conservator. All sums paid for the support of any inmate shall be paid to the commissioner of welfare or his agent, who shall turn the same over to the state treasurer. The commissioner of welfare shall send bills to the persons liable therefor. The cost of maintenance and the cost of commitment of any person committed to said institution shall be computed and paid in accordance with the provisions of chapter 88; and, if he shall not have sufficient estate or legally liable relatives of sufficient ability to support him, the town wherein he has a settlement shall be liable for his institutional care. In case such inmate had no legal settlement in any town in this state at the time of his commitment, all of the expense of his maintenance, not collected from his estate or from those legally liable for his support, shall be borne by the state. 1941

Sec. 265f. The chapter shall in no manner curtail the powers, duties, organization or status of the commission and board of trustees, establish by number 506 of the special acts of 1935, for the building and operation of a training school for mental defectives, but shall expand, amplify and detail the same. 1941

THE PHYSICALLY HANDICAPPED

Sick

Tuberculosis

1918, S. 2630

Sec. 2620. Reporting cases. Each physician shall report in writing the name, age, sex, color, occupation, place where last employed, if known, and address of each person under his care known by such physician to have tuberculosis, to the health officer of the town, city or borough in which such person resides, within twenty-four hours after such fact shall come to the knowledge of such physician, and the officer in charge of any hospital, dispensary, asylum or other similar institution shall report in like manner concerning each patient having tuberculosis who shall come under the care or observation of such officer, within twenty-four hours thereafter.

1918, S. 2631

Sec. 2621. Record by health officer. The health officer of each town, city or borough shall keep a record of all such reports received by him, but such records shall not be open to inspection by any person other than the health authorities of the state and of such town, city or borough, and the identity of the person to whom any such report relates shall not be divulged by such health authorities except as may be necessary to carry into effect the provisions of sections 2620 to 2625, inclusive.

1918, S. 2638
1930
1931

Sec. 2626 as amended by Sec. 1004c. Tuberculosis commission; members. The state tuberculosis commission shall consist of five members, one of whom shall be a physician who has had at least ten years' active practice and is an expert in the modern treatment of human tuberculosis. On or before July 1, 1937, and biennially thereafter, the governor shall appoint two members of said commission to hold office for six years from the first day of July following their appointment, except that in the year 1939, and sexennially thereafter, only one member shall be so appointed. Each of said commissioners shall hold office for the term for which he was appointed and until his successor shall be appointed and shall have qualified. Said commission may appoint a secretary.

1918, S. 2641

Sec. 2628. Tubercular persons not to remain in certain institutions. No person having tuberculosis shall be allowed to remain in any town almshouse or county temporary home. The selectmen or the person having supervision of such almshouse shall cause the inmates thereof to be examined by a reputable physician at least once every six months, and the county commissioners in each county shall cause like examinations to be made of the inmates of the county temporary home, and all persons found infected with tuberculosis shall be removed as soon as possible, by the selectmen or the county commissioners, as the case may be, to a home for tuberculosis patients. On or before June thirtieth and December thirty-first in each year, the first selectman of each town, or the official having supervision of the town almshouse in towns in which such supervision shall not devolve upon the selectmen, and the county commissioners of each county shall file with the state tuberculosis commission, a sworn statement setting forth

Sec. 2626. Cited. 109 C. 627.

that the examination required by this section has been made, and, if any inmate shall have been found to be infected with tuberculosis, stating the name and age of such person. If such statement shall not be filed as aforesaid, said commission shall, as soon as practicable, cause such examination to be made by a physician designated by said commission, and the expense thereof shall be paid by such town or county.

Sec. 2629 and Sec. 2630 as amended by Sec. 1005c. State aid to tubercular persons. (a) Any resident of the state afflicted with tuberculosis in any form, applying for care, shall be received in a state sanatorium, without regard to the stage of the disease or the financial condition of the patient. Patients who are able to pay the full cost of care and treatment, or patients who have relatives who are able to pay for such care and treatment and are liable for the same under the laws of this state, shall be received, and such patients or such relatives shall pay to the state the full cost of such care and treatment. Patients who are not able to pay the full cost of such care and treatment, or patients whose relatives are legally liable for his support and who are not able to pay the full cost of such care and treatment, shall pay such portion thereof as he or his relatives are able to pay; provided, if such patient or his relatives cannot pay any part of such care and treatment, the sum of four dollars per week shall be paid by the town or city in which such patient has a legal settlement. If such patient, or his relatives who are liable to the state under the laws of this state, are not able to pay four dollars per week but are able to pay a sum less than four dollars per week, such patient or such relatives shall pay such sum as he or they are able to pay and such town or city shall pay the difference between said sum of four dollars per week and the amount paid by such patient or such relatives, and the town or city in which such patient has a legal settlement shall pay said sum of four dollars per week and shall collect from such patient or such relatives the portion thereof to be paid by them. The town or city paying any part of the cost of the treatment and care of any such patient shall provide for such patient the clothing prescribed by the state tuberculosis commission, and, if such clothing shall not be so provided, said commission shall furnish the same and the cost thereof shall be paid by such town or city. (b) No town or city shall classify as a pauper any person who shall have received financial assistance from any such town or city for the purpose of securing treatment in a hospital or sanatorium for tuberculosis, or publish the name of such person as a pauper. 1918, S. 2642 1921, C. 137 1930 1935

Sec. 2631. Admissions restricted; discharges. Whenever, in the opinion of the state tuberculosis commission, any patient of the state tuberculosis sanatoria shall be sufficiently improved in health to permit of his return to his home, although such patient may have latent and incommunicable tuberculosis, the commission is authorized to discharge such patient. Any patient of immoral or filthy habits or who, for other good cause, in the opinion of said commission, is unsuitable for association with the inmates of such sanatorium, shall not be received or retained unless separate accommodation shall be provided for such patient. 1918, S. 2644

Sec. 2632 as amended by Sec. 1006c. Management of sanatoria. The state tuberculosis commission shall appoint a manager or superintendent of each home, who shall have the direction and supervision of such sanatorium under rules to be prescribed by said commission. *** 1918, S. 2645, 2646 1930 1933

1918, S. 2647
1919, C. 230

Sec. 2633. Private sanatoria; inspection. Sanatoria under private management and receiving state aid shall be inspected semi-annually by the commission, but the association owning and conducting any such sanatorium shall maintain the same in good condition and shall assume all responsibility for the executive work thereof.

1918, S.2648

Sec. 2634. Reports by commission. The commission shall make a biennial report of its work to the general assembly and shall include in such report such recommendations for the further development of the work of the commission as it may deem advisable.

1918, S. 2649
1941

Sec. 2635 as amended by Sec. 447f. School instruction concerning tuberculosis. The tuberculosis commission shall provide for the instruction of the public in rules of living essential to the suppression of tuberculosis and shall provide and maintain, within or apart from the state sanatoria, facilities and personnel for the detection of tuberculosis in its early stages and for the rehabilitation of persons suffering from tuberculosis.

Appropriations for Hospitals

1918, S. 413
1925, C. 255
1930
1931, S. 96c
1943

Sec. 462 as amended by Sec. 106g. Appropriations for military organizations, public health nursing organizations and hospitals. Any town may, at any annual or special town meeting, make appropriations for the assistance, support or maintenance of any military organization organized within such town and in the service of the state or of the United States, or for the maintenance of any hospital, or any public health nursing organization, located within the state. See Appendix (XLVI).

1927
1941

Sec. 2391 as amended by Sec. 409f. Licensing of hospitals. No person, firm or corporation shall operate a hospital for the care of the sick unless such person, firm or corporation shall have obtained a license therefor from the state department of health. For the purpose of this section, a hospital is defined as an institution for the lodging, care and treatment of persons suffering from disease or other abnormal physical conditions. Said department shall, in its sanitary code, define the minimum requirements for a hospital. Said department, after receiving an application in writing, making such investigations as shall be deemed necessary and finding the specified requirements to have been fulfilled, shall grant a license to operate a hospital. Such license shall terminate on December thirty-first of each year and may be revoked by said department, after hearing, for failure by the holder thereof to carry out the requirements established by law. The provisions of this section shall not apply to any hospital or institution wholly supported by the state, or to any hospital or institution partially supported by the state, which is approved by the American College of Surgeons as unconditionally meeting its minimum standards, or to any institution coming under the provisions of section 2633 *** or section 1042e. Any person or any officer or agent of a corporation who shall violate any provision of this section shall be fined not more than one thousand dollars or imprisoned not more than six months or both.

The Crippled

Sec. 464. Transportation of crippled children. Each city, town, borough or school district is authorized to transport crippled children and children having such defective eyesight as to require transportation, from within their residences to places where medical, surgical or other treatment is to be given them, and to retransport such children from within such places to within their residences, and such transportation is declared to be in the line of governmental duty. 1927, C. 219

Sec. 869. Vocational rehabilitation; Definitions. There shall continue to be, under the direction and control of the state board of education, a division for the vocational rehabilitation and placement in remunerative employment of persons whose capacity to earn a living has been destroyed or impaired. For the purposes of sections 869 to 872, inclusive, the term "physically disabled person" shall mean any person who, by reason of a physical defect or infirmity, whether congenital or resulting from accident, injury or disease, is totally or partially incapacitated for engaging in remunerative occupation, and the term "vocational rehabilitation" shall mean rendering a disabled person competent to engage in a remunerative occupation. 1929, C. 201, S. 1, 2

Sec. 870 as amended by Sec. 255e. Administration. The state board of education is directed to disburse all funds provided for the vocational rehabilitation of disabled persons; to appoint and fix the compensation of such persons as may be necessary to administer the provisions of the statutes relating to vocational rehabilitation; to rehabilitate vocationally and place in remunerative occupations physically disabled persons who, in the opinion of said board, are susceptible of rehabilitation; to make such rules and regulations as may be necessary for the administration of the provisions of said statutes and to report biennially to the governor on the administration thereof. Said board and the workmen's compensation commission are authorized and directed to formulate a plan of cooperation for such rehabilitation work. 1929, C. 201, S. 3, 4; 1930, S. 870; 1933, S. 223c; 1937, S. 191d

Sec. 871 as amended by Sec. 224c. Gifts and donations. The state board of education is authorized to receive such gifts and donations from either public or private sources as may be offered unconditionally or under such conditions as, in the judgment of said board, shall be suitable and consistent with the provisions of the statutes relating to vocational rehabilitation. All moneys received as gifts or donations shall be deposited in the state treasury and shall constitute a permanent special fund to be used by said board in carrying out the purposes of said statutes. A report of all gifts and donations received and of all disbursements made therefrom shall be submitted biennially to the governor. 1929, C. 201, S. 5; 1930; 1933

Sec. 872. Federal aid for vocational rehabilitation. The provisions of an act of congress providing for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment, approved June 2, 1920, as amended June 5, 1924, having been accepted by this state, the state treasurer is designated as custodian of all moneys received from appropriations made under the provisions of said act and is authorized to make disbursements therefrom upon the order of the state board of education. The state board of education is authorized to co-operate with the federal board for vocational education in carrying out the provisions of said act. 1929, C. 201, S. 6

The Blind

Testing of Eyesight

918, S. 1013
923, C. 195
930
931

Sec. 929 as amended by Sec. 267c. Testing of eyesight. The state board of education shall prepare or cause to be prepared suitable test cards and blanks to be used in testing the eyesight of pupils in public schools, and shall furnish the same, together with all necessary instructions for their use, free of expense, to each school in the state. The superintendent, principal or teacher, in each school in which no examination or inspection shall have been made under the provisions of section 925, shall, annually, during the fall term, test the eyesight of all pupils under his charge according to the instruction furnished, and shall give written notice to the parent or guardian of each pupil who shall be found to have any defect of vision or disease of the eyes, with a brief statement of such defect or disease, and shall make a written report of all such cases to the state board of education. Such examination and inspection may be performed by any licensed optometrist, provided he be appointed for such purpose in the same manner as physicians are appointed under the provisions of section 262c.

Education of the Blind

918, S.
069, 1070
921, C. 88

Sec. 1043. Board of education of the blind; meetings. The board of education of the blind shall consist of five members, of whom the governor and the chief justice of the supreme court shall be members, ex-officio. The other three members, one of whom shall be a woman, shall be appointed by the governor, and each shall be a resident of this state and shall hold office for four years from the first day of July in the year of appointment. The governor may, for reasonable cause, remove any appointive member and appoint another person to fill the vacancy for the unexpired portion of the term. The chief justice may appoint as a member in his place any judge or ex-judge of the supreme or superior court, such appointment to be for two years from its date. Said board shall meet annually on the first Monday of July, at the capitol, and may meet at any other time upon the call of its secretary; and the secretary shall call a meeting at the request of two members. The governor or, in his absence, the judicial member shall be chairman of the board. The board shall adopt rules for its own action and for determining what persons shall receive benefits under the provisions of this chapter.

1918, S.
1071, 1072

Sec. 1044. Secretary and treasurer; compensation. Said board shall appoint a secretary, who shall also act as a treasurer, and prescribe his duties and compensation, which office shall be held subject to the pleasure of the board. No member of the board shall receive compensation for services rendered unless such services shall be special and specially requested by the board, in which case a moderate allowance may be made for the time actually spent. The certificate of the governor of the amount of any bill for services and expenses shall be sufficient warrant to the comptroller for the payment of the same. The tuition and other expenses of the beneficiaries shall be paid quarterly by the comptroller, upon certificate of the governor or judicial member as to the amount. No expense shall be incurred except on the affirmative vote of three members of said board.

See Sec
184

Sec. 254h. Instruction by the state. All blind persons, or persons so nearly blind that they are unable to receive instruction in the public schools, who are of suitable age and capacity for instruction in the simple branches of education and who are legal residents of this state, on the affirmative vote or order of three members of the board of education of the blind, shall be entitled to receive such instruction and for such length of time as may be deemed expedient by said board. The expense of such education shall be paid by the state, to an amount not exceeding six hundred dollars for each of such persons in any one year, and, when the parents of any such blind person are not able to provide clothing and transportation for such blind person, an additional sum of thirty dollars per year may be allowed for such expenses. The board of education of the blind may provide for the instruction of the adult blind in their homes, expending annually for this purpose such sum as the general assembly may appropriate. 1918, S. 1068 1919, C. 306 1921, C. 236 1927, C. 133 1930, S. 1045 1945

Sec. 1046. Powers and duties of board. The right to visit, inspect and report concerning the Connecticut Institute and Industrial Home for the Blind is exclusively vested in the board of education for the blind. All the departments of said institute shall be visited and thoroughly inspected as often as once in three months by at least two members of said board, neither of whom shall be an officer or trustee of said institute or in any way connected therewith, no previous notice of such visits having been given to the persons in charge of such departments. Said board shall, annually, on or before the Monday after the first Wednesday in January, submit to the governor its report, containing a statement of the doings of the board during the preceding year; an account of the condition, financial and otherwise, of said institute and its various departments; the number of its inmates; the number of blind persons from this state being educated in other institutions under the provisions of section 1047 and such other information as will apprise the general assembly of the true condition, progress and needs of blind persons who are residents of this state and who are receiving instruction under the provisions of this chapter and of all other blind persons who are residents of this state whose cases have come to the knowledge of said board. Said board may prepare and maintain a register of the blind in this state which shall describe their condition, cause of blindness and capacity for education and industrial training, and may register cases of persons whose eyesight is seriously defective and who are liable to become visually handicapped or blind, and may take such measures in co-operation with other authorities as it may deem advisable for the prevention of blindness or conservation of eyesight, and, in appropriate cases, for the education of children and for the vocational guidance of adults having seriously defective sight. 1918, S. 1080 1921, C. 165

Sec. 1047. Contracts with institutions. Compulsory attendance. Said board may, within the expenditure therefor provided in section 1045, contract with institutions, individuals and mercantile and manufacturing establishments having facilities for the instruction of the blind, for the education, board and keep of blind persons who are legal residents of this state found by the board to be fitted for such instruction. Said board may compel attendance of any blind child, until such child shall attain the age of eighteen years, at an institution providing instruction as defined in this section; and, if the parents or guardians of such child shall not assent thereto, the court of probate of the district where such child shall reside shall, on the application of any member of said board and after reasonable notice to the parents or guardians of 1918, S. 1073, 1074 1921, C. 160 1925, C. 56

such child of the time and place of hearing upon such application, inquire into the facts and, if such court shall find that the sight of such child is so impaired as to disable such child attending and receiving instruction in any public school, it shall issue an order placing such child in the care and custody of said board until the further order of such court, and such order shall give to said board all the rights and authority of a parent over such child.

1921, C. 231
1930, S. 1048
1945

Sec. 255h. Employment and aid. Said board is authorized to aid in securing employment for capable blind or partially blind persons in industrial and mercantile establishments and in other positions which offer financial returns. Said board may aid needy blind persons in such way as it shall deem expedient, expending for such purpose such sum as the general assembly may appropriate, provided the maximum expenditure for any one person shall not exceed the sum of forty dollars a month.

1945

Sec. 259h. Blind persons; vending stands in public buildings. The authority in charge of any state, county or municipal building or property shall grant to the state board of education of the blind a permit to operate in such building or on such property a stand for the vending of newspapers, periodicals, confections, tobacco products and such other articles as such authority approves when, in the opinion of such authority, such a stand is desirable in such location. Any person operating such a stand in any such location October 1, 1945, shall be permitted to continue such operation, but upon his ceasing such operation such authority shall grant a permit for continued operation to the state board of education of the blind.

1918, S. 1075

Sec. 1049. Power to receive bequests. The Connecticut Institute and Industrial Home for the Blind is empowered to receive, hold, invest or employ, as it may deem for the best interests of said institution, all property which may come to it by gift, bequest or devise or which it may acquire in any manner; but the general assembly may, at any time, limit the amount of property to be so held or acquired. All property of said institution shall be exempt from taxation.

1918, S. 1076

Sec. 1050. Exemption from license fees. Any goods, wares or merchandise, manufactured or produced in whole or in part by said institution in furtherance of its purpose to instruct or employ the blind, may be sold or exchanged in any town, city or borough in this state, and said institution, its agents or its employees, shall not be required to procure a license therefor, and no law providing for the payment of a license fee for such privilege shall apply to said institution, its agents or employees, unless it or they shall be particularly referred to in its provisions.

1918, S. 1077, 1078

Sec. 1051. Instruction in useful occupation. Trade implements. Each blind or partially blind person over eighteen years of age, who is a beneficiary of the state in the department of industrial training in any institution, shall be given, at the expense of the state, for a period not exceeding three years, practical and uninterrupted instruction in some useful occupation conducive to his future self-support. At the termination of the period of industrial training of each such person, the state authorities having in charge the industrial education of the blind shall be empowered to provide, under such conditions as said authorities may deem necessary, machinery, tools and materials to the amount of not more than two hundred dollars in any one case, for the purpose of establishing such blind or partially blind person in some useful occupation conducive to his self-support. The expense of provid-

ing such machinery, tools and materials shall be met from the appropriation made biennially by the general assembly for the education of the blind.

Sec. 256h. Service and sales fund. For the purpose of aiding the blind by providing sales and service opportunities, there is established a sales and service fund for the state board of education of the blind which shall be used as a revolving fund; said fund to be provided from cash in the sales and service fund and accounts receivable and inventories on hand which may be converted into cash as of July 1, 1945. Any money received by said board from refunds for materials advanced for manufacture by the blind, from the sales of articles or goods manufactured by the blind, and from the sale of other articles or goods, or from sales held to assist the blind, shall be deposited in the fund. Payments shall be made from said fund for labor or services rendered in connection with the manufacture of articles for resale, for the purchase of materials used in such manufacture, for the purchase of merchandise for resale and for labor, supplies and other operating expenses connected with the operation of vending stands and sales and service opportunities. Bills contracted by the board of education of the blind for the purposes specified in this section shall be paid by order of the comptroller against said fund in the manner provided by law for the payment of all claims against the state. At the end of each fiscal year, any surplus as of June thirtieth determined by including cash, accounts receivable and inventories less accounts payable over the sum of fifty thousand dollars derived from sales of manufactured goods or articles or other sales, in excess of said cost of labor or services, materials, merchandise, supplies and other said operating expenses, shall revert to the general fund of the state. 1939 Sec 277e 1945

Sec. 257h. Statement to be filed. The board of education of the blind shall annually file with the comptroller a balance sheet as of June thirtieth and a statement of operations for the fiscal year ending on that date. A copy of such statement shall be filed with the auditors of public accounts. 1945

Sec. 1052. Aids for adults. The benefits provided by section 1051 relating to furnishing machinery, tools and materials shall be extended to each blind person who has been a beneficiary of the state in any institution for the blind for the purposes of learning a trade which shall be conducive to his or her self-support, provided such blind person shall be a legal resident of this state. Each adult blind person desiring to receive aid provided for in section 1051 shall make written application therefor to the state authorities having in charge the industrial education of the blind, which application shall be accompanied by a statement signed by not less than twelve reputable citizens of the town to which such blind person belongs, to the effect that such blind person is industrious, of good habits and capable of carrying on in a competent manner a trade which he or she has learned. Upon the approval of such application by said authorities, they may provide, under such conditions as they may deem necessary, machinery, tools and materials to the amount of not more than two hundred dollars in any one case, for the purpose of enabling such person to carry on such trade, and the appropriation made biennially by the general assembly for the care and education of the blind shall be made to include the sum deemed necessary by the proper state authorities to accomplish the provisions of this section during the succeeding biennial period. Each article so provided for such blind person and the income from labor obtained thereby shall be exempt from attachment. 1918, S 1079

1945 **Sec. 260h. Vocational rehabilitation; definitions.** The state board of education of the blind may maintain a rehabilitation service for the vocational rehabilitation and placement in remunerative employment of persons whose capacity to earn a living has been lost or impaired by reason of lessened visual acuity. For the purpose of this section and sections 261h to 263h, inclusive: The term "vocational rehabilitation" shall mean any services, provided directly or through public or private instrumentalities, found to be necessary to compensate a person for his employment handicap, whose visual acuity has been impaired, and to enable him to engage in a remunerative occupation, including, but not limited to, medical and vocational diagnosis, vocational guidance, counseling and placement, rehabilitation training, physical restoration, transportation, occupational licenses, customary occupational tools and equipment, maintenance and training books and materials; the term "rehabilitation training" shall mean all necessary training provided for a person whose visual acuity has been impaired to compensate for his employment handicap, including, but not limited to, manual, preconditioning, prevocational, vocational and supplementary training and training provided for the purpose of achieving broader and more remunerative skills and capacity; and the term "physical restoration" shall mean any medical, surgical or therapeutic treatment necessary to correct or substantially reduce within a reasonable length of time the employment handicap of a person whose visual acuity has been impaired, including, but not limited to, medical, psychiatric, dental and surgical treatment, nursing service, hospital care not to exceed ninety days, convalescent home care, drugs, medical and surgical supplies and prosthetic appliances, but excluding curative treatment for acute and transitory conditions.

1945 **Sec. 261h. Federal funds.** The state board of education of the blind is empowered to receive any federal funds made available to this state under which vocational rehabilitation is provided for a person whose visual acuity has been impaired and to expend such funds for the purpose or purposes for which they are made available. The state treasurer shall be the custodian of such funds.

1945 **Sec. 262h. Cooperation with federal government.** The state board of education of the blind may cooperate, pursuant to agreements, with the federal government in carrying out the purposes of any federal statutes pertaining to vocational rehabilitation, and is authorized to adopt such methods of administration as are found by the federal government to be necessary for the proper and efficient operation of such agreements or plans for vocational rehabilitation and to comply with such conditions as may be necessary to secure the full benefits of such federal statutes.

1945 **Sec. 263h. Placement; rules and regulations.** The state board of education of the blind may place in remunerative occupations persons whose capacity to earn a living has been lost or impaired by lessened visual acuity and who, in the opinion of the board, are susceptible of placement, and may make such rules and regulations as are necessary for the administration of the provisions of sections 260h to 264h, inclusive; and shall report biennially to the governor on said administration.

1945 **Sec. 264h. Limitation of expenditures.** The limitations on expenditures for a blind person provided in this chapter shall not apply to the expenditures for vocational rehabilitation of a person of lessened visual acuity as set forth in Sections 260h to 263h, inclusive, provided the combined biennial expenditures under this

chapter and under said sections shall not exceed the biennial appropriation to the state board of education of the blind by the general assembly.

Sec. 1121e. Licensing of dogs used by blind persons. Any blind person who is the owner or keeper of a dog which has been trained and educated to guide and assist him, in traveling upon the public streets or highways or otherwise, shall receive from the town clerk of the town where such dog is owned or kept, upon payment of twenty-five cents, a license and tag for such dog, issued in accordance with the provisions of section 1365c of the 1935 supplement to the general statutes, and no additional fee shall be required of the owner or keeper of any such dog. When any such dog has not been previously registered and licensed by the town clerk to whom application is being made, such town clerk shall not register such dog nor issue to the owner a license and tag therefor unless written evidence shall be exhibited to him that the dog is trained and educated and intended in fact to perform such guide service for such applicant. 1937, S. 696d

Sec. 599g. Seeing-eye dogs on trains. Any blind person who is traveling on a train from one point in this state to another point in this state may keep his seeing-eye dog with him in any coach or pullman car of such train, provided such dog shall be in the direct custody of such blind person and is properly and safely muzzled. Such blind person shall not be required to obtain a private room or berth accommodations for such seeing-eye dog. 1943

Sec. 1446e. The use of certain canes by blind persons. (a) No person, except one wholly or partially blind, shall carry or use on any street or highway, or in any other public place, a cane or walking stick which is white in color or white tipped with red. (b) Any driver of a vehicle who shall approach or come into the immediate vicinity of a person wholly or partially blind, carrying a cane or walking stick white in color or white tipped with red, shall take such precautions before proceeding as may be necessary to avoid accident or injury to the person wholly or partially blind. (c) Any person who shall violate any provision of this section shall be fined not more than twenty-five dollars. 1937, S. 857d

Sec. 2928. Blind persons not to pay for license to sell their own work. No town, city or borough shall require any license fee from any blind person, resident of this state, for the privilege of selling within its limits, goods, wares and merchandise, manufactured by him with his own hands. 1918, S. 2999

Sec. 2424 as amended by Sec. 937c. Blindness among infants. Any inflammation, swelling or unusual redness in the eyes of any infant, either apart from or with any unnatural discharge from the eyes of such infant, occuring at any time within two weeks after the birth of such infant, shall for the purposes of this section, be designated as "inflammation of the eyes of the newborn." The professional attendant or other person caring for a new-born infant shall report any such inflammation of the eyes of the new-born to the local health officer within six hours after such condition shall be observed. **** The person in attendance at the birth of any infant shall instill into the eyes of such infant, immediately after birth, one or two drops of a prophylactic solution approved by the state department of health. The state department of health shall furnish in a convenient form for such use a prophylactic solution for gratuitous distribution to persons licensed to practice the healing arts or midwifery. Any person who shall violate any provision of this section shall be fined not less than ten dollars nor more than fifty dollars. 1918, S. 2417
1921, C. 242
1930
1935

Education of the Deaf

1921, C. 200
S. 2
1930, C. 57
S. 1053
1937, S. 201d

See Sec. 184

Sec. 1053 as amended by Sec. 278e. Mystic Oral School for the deaf. Trustees. The Mystic Oral School for the Deaf shall continue to be under the management of a board of six trustees, who shall have supervision and control of the education and training of all boys and girls admitted to said school and the management and control of the property of said school. Two of said trustees shall be appointed annually by the governor for a term of three years from the first day of July in the year of their appointment. The governor shall have power to remove any trustee for cause and may fill any vacancy for the unexpired portion of the term. Said trustees shall serve without compensation. Said trustees shall appoint a superintendent, who shall not be a member of the board and who shall be subject to removal by the board for cause, and may appoint such other officers or agents as may be deemed necessary. Said trustees shall, annually, report under oath to the governor the general financial condition of said school, with such recommendations as they desire to make.

1921, C. 200.
S. 3, 4

Sec. 1054. Duties of superintendent. The superintendent shall have charge and custody of all inmates of said school; shall keep account of all receipts and expenditures in such manner as the trustees may require; shall keep all books and papers open to their inspection and shall give a bond of not less than five thousand dollars to the state conditioned for the faithful performance of his duties. The superintendent shall, subject to the approval of the trustees, determine the number of and select and appoint all subordinate officers and define their duties. The superintenddent may remove any officer or employee appointed by him, for cause.

1921, C. 200.
S. 6

Sec. 1055. Transfer of inmates. The board of trusteees may transfer to any other state institution, with the advice and approval of the governor, any inmate whose welfare the trustees, after examination of the case, shall decide may be best cared for at such other institution. Any inmate who, in the judgment of said board of trustees, is in need of special medical attention may be transferred to a hospital or any other appropriate institution.

1918, S.
1081, 1082,
1083
1925, C. 118
1930
1933

Sec. 1056 as amended by Sec. 348c. Governor may appoint pupils. Support and care. Expense. The governor may appoint, for a period of not more than twelve years, any deaf minor person, domiciled within this state, as a pupil at any institution in this state for the education of the deaf, and he may, upon the recommendation of the principal or superintendent of such institution, extend such period not exceeding six years. The governor may revoke such appointment. The governor may contract for the support, care and education of persons so appointed, and no such appointees shall be withdrawn from any such institution except with the consent of the authorities thereof or of the governor. The expense incurred for such support, care and education shall, while such persons continue as such pupils, except so far as such expense may be paid by such pupils or their parents or guardians, be borne by the state, in such amounts as may be appropriated by the general assembly per capita per annum.

Health

Department of Health

Sec. 2371 as amended by Sec. 500g. Powers and duties of commissioner. The commissioner of health shall employ the most efficient and practical means for the prevention and suppression of disease, and shall administer the health laws and sanitary code, prepare rules and regulations for the council and, with the approval of the council, appoint and remove directors of bureaus, deputies, inspectors and other employees. He shall have authority over health officials, and may, for cause and with the consent of the council, remove any local health official; but any person claiming to be aggrieved by such removal may appeal to the superior court, which may affirm or reverse the action of the council as the public interest may require. He shall assist and advise local health officers in the performance of their duties, and may require the enforcement of any law, regulation or ordinance relating to public health, and, with the health authorities of this and other states, secure information and data concerning the prevention and control of epidemics and conditions affecting or endangering the public health, and he shall compile such information and statistics and shall disseminate among health authorities and the people of the state such information as may be of value to them. He shall prepare printed forms for reports and returns, together with such instructions as may be necessary, for the use of health officers, boards of health and registrars. When requested by local health officers, he shall consult with them and investigate and advise concerning any condition affecting public health within their jurisdiction; make, at least once each year, an inspection of all public hospitals, asylums, prisons, schools and other institutions and submit a report of his investigations to the council, with his recommendations. The commissioner of health shall investigate nuisances and conditions affecting, or that he has reason to suspect may affect, the security of life and health in any locality and, for that purpose, he, or any person authorized by him so to do, may enter and examine any ground, vehicle, apartment, building or place, and any person designated by him shall have the authority conferred by law upon constables. Said commissioner may, subject to the approval of the commissioner of finance and control, employ such clerical and other assistance and purchase such supplies and materials for use in said department as may be necessary for the discharge of the duties of his office. The commissioner may, subject to the approval of said council, appoint an acting commissioner who shall, during the absence or inability of the commissioner, perform the duties and exercise the powers of the commissioner. The commissioner may authorize any deputy, director, inspector or agent to perform any administrative duties imposed by statute upon him.

1918, S. 2364
1919, C. 209
1930
1937, S. 579d
1939, S. 855e
1943

Sec. 2372 as amended by Sec. 408f. Bureaus. Said department shall maintain laboratories and bureaus of vital statistics, preventable diseases, sanitary engineering, child hygiene, public health nursing, public health instruction, venereal diseases, mental hygiene and industrial hygiene. The commissioner of health may appoint a director of each of such bureaus, who shall perform the duties of his office under the direction and control of said commissioner.

1918, S. 2365
1919, C. 248
1923, C. 94
1930, S. 2372
1931, S. 924c
1937, S. 856e
1941

1945 **Sec. 589h. Funds for establishment of psychiatric service.** Any general hospital in this state may apply to the state department of health for funds to be used to establish a psychiatric service. Said department shall grant such funds to any such hospital provided the plans for such psychiatric service shall be approved by said department.

1945 **Sec. 590h. Expansion of psychiatric clinics for children.** The state department of health shall expand its program of psychiatric clinics for children.

1935 **Sec. 926c. Federal Funds.** (a) The state department of health is designated as the state agency to receive and administer federal funds which may become available for health services to children, including aid to crippled children. (b) The commissioner of health may create an advisory board composed of representatives of public departments and private agencies concerned with welfare and educational interests and individuals to assist him in making plans and allotting funds.

1943 **Sec. 505g. Maternity care for wives of members of the armed forces.** The commissioner of health shall, on request, furnish medical, hospital, nursing, obstetric and pediatric care to wives and to infants under the age of one year, of men serving in the armed forces of the United States, when such wives are unable to secure proper care for themselves or for such infants. Said commissioner shall co-ordinate the aid furnished under the provisions of this act with any aid received from the federal government for like purposes. Effective from June 1, 1943 until two years after the termination of the war.

See Sec. 507g

1943 **Sec. 508g. Allotments.** All allotments from the appropriation made in this act shall be authorized in the manner described in section 52e of the 1939 supplement to the general statutes and shall have the approval of the finance advisory committee.

1919, C. 239 **Sec. 2374. Control of communicable diseases in institutions.** Any person who shall be confined or imprisoned in the State Prison or in jail or in any other institution for a period of ten days or longer may be examined for any malignant, infectious or contagious disease, and, if found infected with any such disease, he shall be treated during the term of his confinement and, if not cured at the date of his discharge, the local health officer shall be notified. The person in charge of each such institution shall provide for such examination and necessary treatment of all such persons admitted thereto. The state department of health may make such rules, regulations or orders as shall, in its judgment, be necessary to carry out the provisions of this section.

1918, S. 2371, 2372 **Sec. 2380. Information to local authorities. Reports to department.** The state department of health shall cause all proper sanitary information in its possession to be promptly forwarded to the local health authorities of any town, city, borough or county in the state, which may request the same, adding thereto such useful suggestions as the experience of said department may supply. The local health authorities shall supply like information to said department, together with a copy of their reports and other publications. Said department may require reports and information at such times and of such facts, and generally of such nature and extent, relating to the safety of life and promotion of health, as its by-laws or rules may provide, from all public dispensaries, hospitals, asylums, infirmaries, prisons and schools, from the officers thereof and from all other public institutions, their officers and managers, and from the proprietors, managers, lessees and

occupants of all places of public resort in the state; but such reports and information shall only be required relating to matters concerning which said department may in its opinion need information for the discharge of its duties. Said department shall, when requested by public authorities, advise officers of the state, county or local government in regard to sanitary drainage, and the location, drainage, ventilation and sanitary provisions of any public institution, building or place. Said department shall give all information that may be reasonably requested, concerning any threatened danger to the public health, to local health officers and to all other sanitary authorities in the state, who shall give like information to said department; and said department and such officers and sanitary authorities shall co-operate to prevent the spread of disease, and for the protection of life and the promotion of health.

Sec. 932c. Reports of physical defects of children. Each person licensed to practice medicine, surgery, osteopathy, midwifery, chiropractic, natureopathy, chiropody or nursing or to use any other means or agency to treat, prescribe for, heal or otherwise alleviate deformity, ailment, disease or any other form of human ills, who shall have professional knowledge that any child under six years of age has any physical defect shall, within forty-eight hours from the time of acquiring such knowledge, mail to the state department of health a report, stating the name and address of the child, the name and address of his parents or guardians, the nature of the physical defect and such other information as may reasonably be required by said department. Said department shall prepare and furnish suitable blanks for such reports and shall keep each such report on file for at least six years from the receipt thereof. 1933

Sec. 858e. Crippled children. (a) The state department of health is designated as the state agency to administer a program of services for children who are crippled or who are suffering from conditions which lead to crippling, and to receive and administer federal funds which may become available for such services; and the commissioner of health is authorized to extend and improve, especially in rural areas and in areas suffering from severe economic distress, as far as practicable, such services for locating crippled children and for providing medical, surgical, corrective and other services and care, and facilities for diagnosis, hospitalization and after-care for children who are crippled or who are suffering from conditions which lead to crippling. The commissioner of health shall have final administrative responsibility for all activities on behalf of such children as are provided for by this section, and shall have charge of the disbursement of all funds to be used for such purposes, whether by state or federal grant or appropriation, and said commissioner is authorized, in addition to the powers conferred herein, to cooperate with the federal government or any authority therunder respecting the exercise of powers herein granted. 1937, S. 582 1939

Sec. 591h. Dental service for children. The state department of health may, on request, furnish dental services for children in areas of the state where adequate dental service is unavailable. Such dental service shall be furnished free of charge to all children where the cost of necessary service would be a financial hardship to their parents. Such dental service may be furnished to children of parents who are financially able to pay part or all of the cost of dental services received by their children. Said department is authorized to charge for dental service in such cases, but in no case more than the actual cost of such service and ma- 1945

terials. The sum of twenty-one thousand five hundred dollars is appropriated to carry out the provisions of this section, and for the next biennium.

1918, S. 2520
1930
1935, S. 995c
1939

Sec. 2520 as amended by Sec. 925e. Communicable diseases bar to employment. No employer shall permit any person to work in his bake-shop who is affected with pulmonary tuberculosis or a scrofulous or venereal disease or with a communicable skin affection or with diphtheria, dysentery, para-typhoid fever, poliomyelitis, scarlet fever, small pox, streptococcus sore throat, typhoid fever, tuberculosis, gonorrhea or syphillis, except in those cases in which the health officer has given written authorization stating that the public health is not endangered, and each employer shall maintain himself and his employees in a clean and sanitary condition, with clean, washable outer clothing, while engaged in the manufacture, handling or sale of food products. No person shall be allowed to smoke in a bakery while in the performance of his duty.

1918, S. 5263
1921, C. 260
1925, C. 260
1927, C. 40
1929, C. 147
1930
1935, S. 1595
1937
1939, S. 1315e
1943

Sec. 5149 as amended by Sec. 688g. Marriage licenses. (a) No persons shall be joined in marriage until both have joined in an application to the registrar of births, marriages and deaths, in the town in which such marriage is to be celebrated for a license for such marriage, which application shall be under the oath of each of the applicants and shall state, as to each applicant, the name, age, color, occupation, birthplace, residence, whether single, widowed or divorced and whether under the supervision of a guardian or conservator. Any such application, when accepted as provided in subsection (b), shall be open to public inspection as a part of the records of the office of such registrar, and all applications which have been filed within five days shall be kept separately and readily accessible to public examination. It shall be sufficient that the application be signed and sworn to by one of the contracting parties when the same shall be filed with the registrar if, before the certificate shall be granted, the other party shall sign and swear to such application before such registrar. (b) No application shall be accepted by such registrar until there shall be in the possession of such registrar a statement or statements signed by a physician licensed to practice medicine or osteopathy in this state or in any other state or any territory of the United States or the District of Columbia that each applicant has submitted to a Wasserman or Kahn or other similar standard laboratory blood test and that, in the opinion of such physician, the person is not infected with syphillis or in a stage of that disease that is communicable. Any such statements shall also be accompanied by a statement by the person in charge of an approved laboratory giving the name of the standard laboratory blood test made and shall contain the exact name of such applicant but shall not contain the results of the test. * A standard laboratory blood test shall be a laboratory test for syphilis approved by the state department of health and shall be performed by said department on request of a licensed physician or at a laboratory approved by it, such test to be made not more than forty days before the issuance of marriage license. (c) No registrar shall issue a certificate until the fifth day following the filing of an application for the same unless the judge of probate for the district within which the intended marriage is to be celebrated, after hearing such evidence as shall be presented, shall render a decision in writing

Sec. 5149. Cited. 113 C. 249.

* The term "licensed physician" as used in this subsection, shall be construed to include a licensed osteopathic physician. Effective June 11, 1937.

that, in his opinion, public policy or the physical condition of either one of the parties requires the intended marriage to be celebrated without delay; and, for like reasons, such judge of probate may cause to be waived the provisions of subsection (b). Upon receipt of such decision, such registrar shall place the same on file as a public document and shall immediately accept said application and issue his certificate therefor which shall state that the parties named have complied with the provisions of this section. If no such decision shall have been rendered by such judge of probate, such registrar shall accept the application and shall, on the fifth day following the acceptance of such application, issue his certificate that the parties therein named have complied with the provisions of this section. (d) No certificate shall be issued if either of the parties be under the control or supervision of a guardian or conservator unless the written consent of such guardian or conservator shall be filed with the registrar, nor to parties either of whom is less than sixteen years of age unless the judge of probate for the district wherein such minor resides shall indorse on such certificate his written consent; nor to parties either of whom is a minor until a parent or guardian of the person of such minor shall have given to such registrar his consent in writing. If any minor shall have no parent or guardian who is a resident of the United States, the consent of the judge of probate of the district wherein such minor resides shall be sufficient. Such certificate shall be a license for any person authorized to perform the marriage ceremony to join in marriage within such town the parties therein named. (e) Any registrar who shall place on file any application or issue any certificate except as herein provided for, or who shall conceal the fact that any such application has been filed or refuse to allow any such application to be examined or copied at any time while his office is open for business, shall be fined not more than one hundred dollars or imprisoned not more than thirty days or both, and any person who shall join any persons in marriage without having received such certificate shall be fined not more than one hundred dollars. No person married without the consent herein provided for shall acquire any rights by marriage in the property of any person who shall, at the time of such marriage, be under the supervision of a conservator. (f) Each registrar shall issue to any person making an application for a marriage license a copy of this section.

Sec. 6391. False representations to dispensaries. Any person who shall obtain medical or surgical treatment from any dispensary located in this state, on false pretenses or representations as to his place of residence or as to his pecuniary circumstances, shall be fined not more than fifty dollars. 1918, S. 6541

Sec. 611h. Commission on the chronically ill, aged and infirm. On or before July 1, 1945, the governor shall appoint five electors of this state to serve as a commission on the care and treatment of the chronically ill, aged and infirm. Two of such members shall serve for a term of two years, and three for a term of four years, from said date; and biennially thereafter the governor shall appoint for a term of four years a successor to each member whose term expires. The governor shall fill any vacancy for the unexpired portion of the term and may remove any member for cause. The members shall receive no compensation for their services as such but shall be reimbursed for expenses incurred in the performance of their duties. The commissioner of health and the commissioner of welfare shall be ex-officio members of said commission. The members shall elect a chairman and a secretary from among their number. 1945

1945 **Sec. 612h. Duties.** The commission shall study the problems of the care and treatment of chronically ill, aged and infirm persons in this state; shall initiate a program, with the cooperation and aid of state agencies concerned, to coordinate and develop existing resources for such care and treatment, and shall plan and, subject to the approval of the general assembly, construct or purchase, lease or otherwise acquire, subject to the provisions of sections 30g and 59g, and staff and operate, such buildings as it deems necessary for the care of such persons; provided the governor shall approve the purchase of or option to purchase land for such purposes. Said commission shall fix rates for care at such institutions and shall determine policies and adopt regulations necessary to carry out the provisions of Section 611h and this section.

1945 **Sec. 613h. Compensation of employees.** Subject to the provisions of chapter 105a, said commission is authorized to employ and fix the compensation of a director and such other employees as it may require.

1945 **Sec. 614h. Report.** The commission shall report its findings, activities and recommendations biennially to the governor and the general assembly and shall draft legislation necessary to carry its recommendations into effect.

1945 **Sec. 615h. Appropriation.** The sum of twenty-five thousand dollars is appropriated for the purpose of activating the most urgently needed components of the commission's program.

CORRECTIONAL INSTITUTIONS

General Provisions

Sec. 289f. Compensation for injuries of inmates of state institutions. In case of injury which results in a fatality or in a permanent handicap, to any inmate of the State Prison, the Connecticut Reformatory, The State Prison for Women, the Connecticut State Farm for Women, the Connecticut School for Boys or Long Lane School, the board of directors of the institution concerned shall carefully investigate such injury and report the facts, together with their recommendations for compensation, to a committee consisting of the governor, the attorney general and the commissioner of finance and control. Said committee shall consider such reports and recommendations and fix the compensation, if any, to be paid either in monthly payments or in a lump sum. Such compensation shall be paid from the general fund of the state. 1941

Institutions for Women and Girls

State Farm for Women

Sec. 1796. Management. The state reformatory for women known as The Connecticut State Farm for Women shall remain as established and shall be under the management of seven directors, who shall be appointed by the governor and at least three of whom shall be women. The governor shall, annually, appoint one director for seven years. He shall also fill by appointment any vacancy that may occur for the unexpired portion of any term. All such appointments shall be of a non-partisan character. The governor shall have power to remove any of said directors for cause. The directors shall receive no compensation for their services. 1918, S. 1721, 1722

See Sec 184

Sec. 1797. Powers of directors; reports. The directors shall have control of the institution, determine the policy of the same and make necessary rules for the discipline, instruction and labor of inmates, which rules shall make provision for a system of general and vocational instruction, including useful trades and domestic science, and for proper recreation facilities. They shall cause to be kept proper records, including those of inmates; fix the salaries of the officers of said institution; appoint from their number a president and a secretary, who shall hold office for such length of time as the board may determine; hold meetings at least quarterly at said institution and audit the accounts of the superintendent quarterly. They shall report annually to the governor the general and financial condition of said institution, with such recommendations as they may desire to make, a copy of which report shall be sent to the secretary of each state of the United States. 1918, S. 1723, 1735

Sec. 597e. See page 163.

Sec. 1798. Authorized to receive gifts. The Connecticut State Farm for Women is authorized to receive, hold and use real estate, and to receive, hold, invest and disburse money, securities, supplies or equipment offered it for the purposes for which said farm is established, by the federal government, or by any person, corporation or association, provided such real estate, money, se- 1919, C. 276

curities, supplies or equipment shall be used only for such purposes. Said farm shall include, in its annual report provided for in section 1797, an account of the property so received, the names of its donors, its location, the use made thereof and the amount of unexpended balances on hand.

1918, S. 1724, 1725

Sec. 1799. Superintendent. The directors shall appoint, and remove at discretion, a superintendent of said institution, who shall be a woman, not of their number, and who, before entering upon the duties of her office, shall give a bond to the state, with sufficient surety, in the sum of five thousand dollars, and shall be sworn to a faithful performance of her duties. The superintendent shall receive such compensation as shall be fixed by the directors and shall reside at said institution. She shall manage said institution and have control over the inmates thereof, and, subject to the approval of the board of directors, make rules and regulations for the administration of said institution, and determine the number of, select, appoint and assign duties to, all subordinate officers of said institution, who shall be women, as far as practicable, and shall be sworn to a faithful performance of their duties. There shall be a deputy superintendent and, as soon as the size of the institution shall demand it, a resident woman physician and a clerk. The superintendent may remove any officer appointed by her. The clerk of the institution shall give a bond to the state, with sufficient surety, in the sum of five thousand dollars.

1918, S. 1726

Sec. 1800. Who may be committed. Women over sixteen years of age belonging to any of the following classes may be committed by any court of criminal jurisdiction to said institution: First, persons convicted of, or who plead guilty to, the commission of felonies; second, persons convicted of, or who plead guilty to, the commission of misdemeanors, including prostitution, intoxication, drug-using, disorderly conduct; third, unmarried girls between the ages of sixteen and twenty-one years who are in manifest danger of falling into habits of vice or who are leading vicious lives, and who may be convicted thereof in accordance with the provisions of section 1817. Only such offenders may be committed to said institution as in the opinion of the trial court, will be benefited physically, mentally or morally by such commitment, and, immediately upon commitment, a careful physical and mental examination, by a competent physician, shall be made of each person committed. The court imposing a sentence on offenders of either class shall not fix the term of such commitment. Commitment to said institution shall be made within one week after sentence is imposed, by the sheriff when sentenced by the superior court, and by a police officer when sentence is imposed by any town, city or borough court, but no offender shall be committed to such institution without being accompanied by a woman in addition to the officer. The expenses of such commitment shall be paid as are commitments to other penal institutions in the state. The trial court shall cause a record of the case to be sent with the commitment papers on blanks furnished by the institution. The duration of such commitment, including the time spent on parole, shall not exceed three years, except where the maximum term specified by law for the crime for which the offender was sentenced shall exceed that period, in which event such maximum term shall be the limit of detention under the provisions of this chapter, and, in such cases, the trial court shall specify the maximum term for which the offender may be held under such commitment. See Appendix (XLVII) and (XLVIII).

See Sec. 1880

Sec. 1800. Cited. 115 C. 596.

Section 1801. Board of parole. Said board of directors shall constitute a board of parole and discharge. Any inmate of the institution may, upon recommendation of the superintendent, be allowed to go on parole in the discretion of a majority of said board of parole under the following conditions: That she is in good physical condition, has ability to earn an honest living, has a satisfactory institutional record, based on the merit system, and a proper home to which she may go, or that suitable employment has been secured in advance by the board of parole. Each person paroled or discharged from said institution shall be given, if the superintendent shall deem it best, suitable clothing, transportation expenses and not more than five dollars. Authority is conferred on said board of parole to establish such rules and regulations as it may deem necessary, setting forth the conditions upon which inmates may be discharged upon parole, and to enforce such rules and regulations and provide suitable supervision by agents of the institution. 1918, S. 1727

Sec. 1802. Paroled inmates. While upon parole, each inmate of said institution shall remain in the legal custody and under the control of the board of directors and subject at any time to be taken back to said institution for any reason that shall seem sufficient to said board. Whenever any paroled inmate of said institution shall violate her parole and be returned to the institution, she may be required to serve the unexpired portion of the term of her maximum sentence, including the time she was out on parole or any part thereof, in the discretion of the board of directors, or she may be paroled again if said board of parole so decide. The request of said board of directors or of any person authorized by the rules of said board shall be sufficient warrant to authorize any officer of said institution or any officer authorized by law to serve criminal process within this state to return any inmate on parole into actual custody: and police officers, constables and sheriffs shall arrest and hold any paroled inmate when so requested, without any written warrant and, for the performance of such duty, the officer performing the same, except officers of said institution, shall be paid by the board of directors of said institution out of the institution funds such reasonable compensation as is provided by law for similar services in other cases. If it shall appear to said board that any inmate on parole, although not having completed her maximum term, has maintained a satisfactory parole record and will continue to lead an orderly life if discharged, said board, by unanimous vote of all the members present at any stated meeting thereof, may discharge such inmate from said institution. 1918, S. 1728, 1731

Sec. 1803. Escape of inmate. Any woman who shall have escaped from The Connecticut State Farm for Women may, whether the limit of her original sentence shall have expired or not, be arrested and detained without warrant, by any officer authorized to serve criminal process, for a reasonable time, to enable the superintendent or a director of said farm, or a person authorized in writing by the superintendent of said farm or said directors and provided with the mittimus by which such woman was committed, or with a certified copy thereof, to take such woman for the purpose of returning her to said institution; but, during such detention, she shall not be committed to jail, and the officer arresting her shall be paid by the state a reasonable compensation for her arrest and keeping. Any woman lawfully committed to said institution who shall escape therefrom or from any keeper or officer having her in charge or from her place of work while engaged in working outside the walls of said institution shall be returned to said institution when arrested and may be dis- 1918, S. 1729 1919, C. 135 1923, C. 76

ciplined in such manner as the board of directors may determine and may be imprisoned in said institution for not more than one year from the expiration of the term for which she was originally committed. The provisions of section 1802 relating to the arrest and return of paroled inmates shall apply to the arrest and return of escaped inmates, and the provisions of chapter 337 shall apply to such inmates as shall have escaped and become fugitives from justice. Prosecutions under this section may be instituted in the county of New London or in any county in which such woman may be arrested.

1918, S. 1730

Sec. 1804. Transfers to penal and other institutions. The board of directors may transfer to the State Prison for Women, or to the jail of the county from which she was sentenced, any inmate of said institution who shall appear to said board to be incorrigible, or whose presence in said institution may be seriously detrimental to its well-being; provided such inmate might have been originally so committed; subject to be returned upon requisition of the board of directors. The directors may transfer to any other appropriate state institution any inmate whose welfare the board, after careful tsudy and examination of her case, shall decide may be best cared for at such other institution. Whenever any inmate of said institution shall be, in the judgment of the board of directors, in need of special medical attention, such inmate may be transferred to a hospital or other appropriate state institution, subject to return upon requisition of the board of directors. The board of directors may transfer to one of the state hospitals for mental illness any inmate of said institution who may be mentally ill, but no inmate of said institution shall be transferred except upon the written certificate of two competent physicians not connected with the institution to the effect that such inmate has become mentally ill, and any inmate declared to be mentally ill shall have a right of appeal to the superior court for the county in which said institution is located, from the order of transfer. Upon the written certification of the superintendent of such hospital for mental illness that an inmate transferred has become cured of her mental illness, the directors shall, by requisition, require the return of such inmate to said institution.

See Sec. 1880

1918, S. 1732

Sec. 1805. Children under two years of age. If any woman committed to said institution is, at the time of her commitment, the mother of a child under one year of age, such woman may retain such child in said institution until it shall attain the age of two years, when it shall be removed therefrom. The board of directors may cause such child to be placed in an asylum for children in the state and pay for the care and maintenance of such child therein at the rate fixed by law until the mother of such child shall be discharged, or may commit such child to the care and custody of some relative or suitable person willing to assume such care, and pay for such child at the same rate, if deemed necessary. Any child of a woman committed to said institution which is over one year of age at the time of its mother's commitment, and which might otherwise be left without suitable care or guardianship, shall be committed by the trial court, upon the same terms as to payment as herein provided, to such asylum for children as may be provided by law in this state for such purpose, or to the care and custody of some relative or suitable person willing to assume such care. If a child be born to any woman while an inmate of said institution, such child may be retained in said institution until it shall be two years of age, when it shall be removed therefrom. The board of directors may cause such child to be placed in an asylum for children in this state and pay for the care and maintenance of such child therein at the rate fixed by

law, until the mother of such child shall have been discharged, or may commit such child to the care and custody of some relative or suitable person willing to assume such care, and pay for such child at the same rate, if deemed necessary.

Sec. 1806 amended by Sec. 582e. Public welfare council; State Farm for Women, authority. The public welfare council shall have, with reference to said institution, the same authority that is conferred upon said board by sections 713c, 714c and 716c with reference to the State Prison. 1918, S. 1733; 1930; 1937, S. 372d

Sec. 684c. Transfers to and from the State Prison for Women. The directors of The Connecticut State Farm for Women are authorized to set apart such unused portion of the State Prison for Women as they may deem advisable as an addition to said farm for the temporary confinement of inmates and to use the same for such purpose. Said directors may transfer to said farm any inmate of the State Prison for Women who, in their judgment, would be benefited by the training provided at said farm, there to serve the remainder of her prison sentence. The commutation of the sentence of such prisoner or the parole of such prisoner shall be subject to the provisions of the statutes applicable to prisoners at the State Prison. Said directors may return such prisoner to the State Prison for Women at any time they shall deem it advisable. Said directors may temporarily remove to any place within the limits of said farm any prisoner from the State Prison for Women, for religious, medical or social purposes. 1931

Sec. 685c. Recommitment of mentally defective. Said directors may cause an application for recommitment of any inmate of The Connecticut State Farm for Women found to be mentally defective to be made to the probate court in the district in which such inmate resided at the time of her commitment, and, if such application shall be granted, said directors shall continue to confine such inmate in accordance with the provisions of the statutes applicable to persons committed to The Connecticut State Farm for Women. 1931

Long Lane School

Sec.373g. The name of Long Lane Farm, a state institution at Middletown, is changed to "Long Lane School." 1943

Sec. 1807. Directors; appointment; term. Long Lane School shall remain as established. The government and control of said school shall be vested in a board of nine directors. The governor shall, annually, appoint three directors, who shall hold office for the term of three years from the first day of July in the year of their appointment and until their successors shall be appointed. The governor shall fill any vacancy that may occur for the unexpired portion of the term and may remove any director for cause. The directors shall receive no compensation for their services. 1918, S. 1820 1921, C. 402, S. 3 See Sec. 184

Sec. 1808. Guardian of inmates. Said school shall have the custody and guardianship of the person of any inmate committed by any court of the state and of any girl who may become an inmate at said school with the consent of the directors. Such guardianship shall supersede any other guardianship of the person during the period when such person shall be in the custody of said school. Said school shall be the guardian of any estate that may be acquired by the personal services of any girl while under its guardianship and control. 1918, S. 1822, 1928 1921, C. 402, S. 2

1921, C. 402, S. 4

Sec. 1809. Duties of directors. The board of directors shall adopt rules for the management of said school; shall appoint a superintendent, not of their number, and such other officers as they may deem necessary, whom they may remove for cause; shall prescribe the duties and compensation of such officers; shall certify all claims and accounts against said school; shall appoint as treasurer a member of said board, who shall give a bond to the state in such sum, not less than five thousand dollars, as said directors shall require, conditioned for the faithful performance of his duties. Said board shall annually report, under oath, to the governor, the general and financial condition of said school, with such recommendations as it may desire to make.

1923, C. 38

Sec. 1810. Directors to invest donation fund. The directors of Long Lane School are authorized to invest the donation fund held by said institution in accordance with the provisions of the statutes relating to the investment of trust funds and, for such purpose, may accept, execute and deliver transfers and conveyances of real and personal property in the name of the state, for the use and benefit of said school.

1921, C. 402, S. 5, 6

Sec. 1811. Superintendent. The superintendent shall be a woman, who shall have the charge and custody of the inmates and property at said school under the supervision of the board of directors. She shall keep accounts of all receipts and expenditures in such manner as the directors may require; shall hold all books and papers open to their inspection and, before entering upon the duties of her office, shall give a bond to the state in such sum, not less than five thousand dollars, as the board of directors shall require, conditioned for the faithful performance of her duties. She shall, subject to the approval of the board of directors, determine the number of, select, appoint and assign duties of, all subordinate officers of said school, who shall be women, as far as practicable, and shall be sworn to the faithful performance of their duties. She may remove any officer appointed by her for cause. She shall render account of all receipts and expenses of said school on the thirtieth day of June in each year to the comptroller, such account having been first examined and approved by the directors.

1918, S. 1822
1921, C. 90, S. 2, C. 356, S. 5
1927, C. 260
1930
1933, S. 686c
1937 S. 373d

Sec. 1812 as amended by Sec. 583e. Commitment. When any girl under the age of sixteen years shall have been adjudged delinquent by a juvenile court, she may be committed to Long Lane School or to the custody of any institution chartered by the general assembly or incorporated under the general laws for the purpose of receiving and caring for delinquent girls, which institution has been approved by the public welfare council. The provisions of section 1819 and 688c shall apply to the institutions described in this section, other than Long Lane School.

1918, S. 1826
1921, C. 402, S. 8

See Sec. 1880

Sec. 1813. Transfer of inmates. The board of directors may transfer to any other appropriate state institution, with the consent of the governing officials thereof, any inmate whose welfare the board shall decide, after study and examination of such case, may be best cared for at such other institution. Whenever any inmate shall be, in the judgment of said board, in need of special medical attention, such inmate may be transferred to a hospital or other appropriate state institution with the consent of the governing officials thereof, subject to return upon requisition of said board. Said board may transfer to one of the state hospitals for mental illness any inmate who may be mentally ill, but no inmate shall be transferred except upon the written certificate of two compe-

Sec. 1812. Cited. 115 C. 596.

tent physicians not connected with the school to the effect that such inmate has become mentally ill, and any inmate declared to be mentally ill shall have a right of appeal to the superior court for the county in which said school is located, from the order of transfer. Upon the written certification of the superintendent of such hospital for mental illness that an inmate transferred has recovered her mental health, the directors shall, by requisition, require the return of such inmate to said school.

Sec. 1814. Discharge of inmates. The directors, or a majority of them, by action taken at a meeting or by a writing signed by them, upon recommendation by the superintendent, may discharge from said school and return to her parents or guardian, or to the selectmen of the town of her residence, any girl who, in their judgment, ought not to be retained at said school. 1918, S. 1825; 1921, C. 402, S. 9

Sec. 1815. Employment outside of institution. When any girl committed to said school, shall have improved in knowledge and behavior sufficiently, in the opinion of the directors of said school, to qualify her for useful employment elsewhere, they shall, as soon as possible, place her in a suitable home, with relatives or others, and cause her to be further instructed and regularly employed in some trade or useful occupation, suited to her age and capacity, until she shall become twenty-one years of age. 1921, C. 356, S. 7

Sec. 1816. Parole. The directors, or a majority of them, by action taken at a meeting or by a writing signed by them, may, upon recommendation by the superintendent, release any girl upon parole. While upon parole, such inmate shall remain in the legal custody and under the control of the directors and shall be subject at any time to be taken back to the school for any reason that shall seem sufficient to the directors. The request of the directors or of any person authorized by them shall be sufficient to warrant any officer of the school or any officer of the law authorized to serve criminal process in this state to return to the school any such inmate. 1921, C. 356, S. 6; C. 402, S. 10

Sec. 1817as amended by Sec. 584e. Commitment of girls over sixteen. Any unmarried female between the ages of sixteen and twenty-one years who is in manifest danger of falling into habits of vice, or who is leading a vicious life, may, upon complaint of a grand juror or of the prosecuting attorney of any town, city or borough court, be brought before a justice of the peace, or the town, city or borough court within whose jurisdiction she may reside or be found, and, upon conviction thereof, may be committed, until she shall have arrived at the age of twenty-one years, to the custody of any institution, except Long Lane School, chartered by the general assembly or incorporated under the general laws for the purpose of receiving and caring for females who have fallen into, or are in danger of falling into vicious habits, which institution has been approved by the public welfare council. 1918, S. 1774; See 1930, S. 1800, 1898, and 1899. 1930, S. 1817; 1937, S. 374d

Sec. 1818. Female attendants. Whenever any female shall be committted to Long Lane School, the House of the Good Shepard, the Florence Crittenden Mission of New Haven, Incorporated, or any other correctional or reformatory institution for girls or women in this state, not including the county jails, the court making such commitments shall, unless such female is to be accompanied by a member of her own family, direct that some responsible adult female shall accompany her. The necessary expenses and the compensation, if any shall be required, for such female attendant shall be taxed and allowed by the court as costs in such action. 1918, S. 1876

1918, S. 1775, 1776, 1779 1925, C. 16

Sec. 1819. Parole. Discharge. Transfer. The trustees or directors of such institutions as are described in section 1817 may parole girls committed thereto for terms not exceeding the terms of their respective commitments; and such trustees or directors may discharge from such institution and return to her parents or guardian, or to the selectmen of the town, any girl who, in their judgment, ought not to be retained. Such trustees or directors, with the advice and approval of the governor, may discharge from such institutions and transfer to the Mansfield State Training School and Hospital any girl who, in their judgment, is a proper subject for said school, and the superintendent thereof shall receive and care for such girl the same as though she had been regularly committed thereto. The cost of maintenance of each such girl shall be calculated and paid as provided in section 1780.*

See Sec. 1880

1933, S. 687c

Sec. 585e. Support at House of the Good Shepherd. Upon the certification of the commissioner of welfare there shall be taxed monthly by the comptroller not to exceed six and one-half dollars per week for the necessary expense for each girl committed to the House of the Good Shepherd in Hartford, while she is under its guardianship and control, either at its home or at an outside hospital or other suitable place provided for any girl who, after being placed out, becomes an unfit subject for said school.

1918, S. 1778 1930 1933

Sec. 1820 as amended by Sec. 688c. Fees. The fees for commitments under section 1817 shall be taxed and paid as provided in section 1900 for commitments to the institutions mentioned therein.**

See Sec. 1900

Institutions for Men and Boys

Connecticut Reformatory

1918, S. 1830, 1831 1943

Sec. 1821 as amended by Sec. 374g. Directors; appointment. There shall be seven directors of the Connecticut Reformatory, who shall be appointed by the governor with the advice and consent of the senate. During the regular session of the general assembly of 1943, two of said directors, in addition to the two appointed under the provisions of said section 1821 prior to the passage of this act, shall be appointed for four years from the first day of July following their appointment, and during the regular session of 1945, three of said directors shall be appointed for four years from the first day of July following their appointment. Each of the directors of said reformatory in office at the time of the passage of this act shall hold office until the expiration of the term for which he was appointed. The appointments shall, so far as practicable, be of a non-partisan character. The governor may fill any vacancy which may occur when the general assembly is not in session until the next regular session, and shall have power to remove any of said directors for cause. See Appendix (XLIX).

See Sec. 184

1918, S. 1852 1930 1933

Sec. 1822 as amended by Sec. 689c. Definition. The term "inmates", as used in this part, shall include persons sentenced or transferred to the reformatory until released from its control, including persons on parole.

*See Sec. 583e.

**See Sec. 584e.

Sec. 1822. Cited. 116 C. 139.

Sec. 1823. Directors; powers and duties. The directors shall have the power necessary to carry out the intent of this part. They shall not be liable to be sued personally for any act done or ordered by them in good faith as such directors. They shall at all times have access to any part of the reformatory and to the inmates and to the accounts of the institution; shall make all necessary rules for the proper discipline, instruction and labor of the inmates; shall prescribe the duties of its officers and shall collectively attend twice in each quarter at the reformatory. They shall report annually to the Governor the condition of said reformatory, with suggestions as to the criminal laws and the laws relating to said institution, and a copy of such report shall be sent to the secretary of each state of the United States. 1918, S. 1832, 1852

Sec. 597e. Care and segration of defective delinquents and vicious feeble-minded persons. The term "defective delinquent," as herein used, shall mean any person who is found to be of defective mentality but not mentally ill and who has committed a criminal act. The term "vicious feeble-minded", as herein used, shall mean any person who is found to be feeble-minded and of vicious tendencies. There shall be established at the Connecticut Reformatory a department for the care of male defective delinquents and male vicious feeble-minded and at the Connecticut State Farm for Women a department for the care of female defective delinquents and female vicious feeble-minded. Such department shall be known respectively, as "The Department for Defective Delinquents of the Connecticut Reformatory" and "The Department for Defective Delinquents of the Connecticut State Farm for Women." When either of such departments shall be ready to receive such persons, the directors thereof shall notify the governor of that fact, and when the governor shall have received such notice he shall issue a public proclamation that such department is ready to receive persons committed under this provision of this act. The prosecuting officer of any court having criminal jurisdiction may bring his complaint to such court alleging that the person named therein is a defective delinquent or vicious feeble-minded person, and such court shall thereupon make such order as to notice of such complaint and a hearing thereon as it shall deem advisable and may, upon the bringing of such complaint, issue its warrant for the arrest of the person named therein. If such application shall be made to a justice of the peace, he shall, at such hearing, inquire whether or not there is probable cause to believe that such person is a defective delinquent or vicious feeble-minded person and, if he shall find cause, shall bind over such person to the same court in the same manner as though he were charged with the commission of a crime, the penalty for which is beyond the jurisdiction of a justice court. Before proceeding to a hearing the justice of the peace before whom such an application is pending may, and any other court shall, appoint one or more reputable physicians licensed to practice medicine within this state who shall attend at such hearing to testify as to the mental condition of such person. If the court, upon such hearing, shall be of the opinion that such person is a defective delinquent or vicious feeble-minded person, it shall forthwith commit him to said department for defective delinquents of the Connecticut Reformatory or to said department for defective delinquents of the Connecticut State Farm for Women, as the case may be. If the court, upon such hearing, shall be of the opinion that, in lieu of such commitment, such person should be subjected to observation for a limited period for the better determination of his mental condition, it may commit such person to said department of the Connecticut Reformatory or to said department of the 1939

Connecticut State Farm for Women, as the case may be, for observation and examination for a period not to exceed six months. During such time the case shall be carried upon the docket of the court and, at a term or session before the expiration of such period, such person shall again be presented in court with a report of the results of such examination and observation and the court shall then proceed to a final disposition of the case. Such presentation shall be made upon the written order of the committing court by the sheriff of the county in which the committing court is located or by his deputy when the commitment has been made by the superior court or by a court of common pleas, and by the chief of police of the city or town in which the committing court is located or by his deputy when the commitment has been made by a police, city, town or borough court, and the officer making such presentation shall deliver a copy of such order to the superintendent of said department of the Connecticut Reformatory or to said department of the Connecticut State Farm for Women, as the case may be, upon the surrender of such person to such officer. An appeal may be taken from any order of commitment to the same court and in the same manner as though such person had been accused and found guilty of a crime and sentence had been imposed. All commitments under this act shall be upon uniform mittimus blanks in the form approved by the attorney general. Copies of such blanks shall be printed and distributed by the comptroller. Such mittimus shall be served by some officer authorized to serve criminal process who shall make return to the court committing such person of his doings thereon. Fees shall be allowed and costs taxed in any proceeding under this act to the same extent and in the same amounts as in criminal prosecutions. To each physician appointed under the terms of this act there shall be allowed and taxed in the costs a reasonable compensation for his service. Each male person committed under this act shall remain in the custody of the superintendent of said reformatory and each female person so committed shall remain in the custody of the superintendent of said state farm for women until, in the opinion of the superintendent of the institution concerned, the safety of the community and the welfare of the individual will not be jeopardized by his or her release. Before such release, the superintendent of the institution concerned shall notify the committing court of his or her intention to release such person. Such release shall be conditional for a period of at least one year. During such conditional release, such person shall remain in the legal custody and under the control of such superintendent under such rules as may be established by the directors of said reformatory or of said farm for women, as the case may be, and shall be subject to be taken back at any time within said department of the Connecticut Reformatory or said department of the state farm for women, as the case may be, for any reason which such superintendent shall deem suffcient and the request of the superintendent shall be sufficient warrant to authorize any cfficer of said reformatory or of said farm for women or any officer authorized by law to serve criminal process to return such person into his or her actual custody. If, after one year's conditional release, such superintendent shall deem it advisable, such person shall receive a complete discharge signed by such superintendent. Male inmates of any state hospital for mental defectives, the Connecticut School for Boys or the Connecticut Reformatory may be committed to said department of the Connecticut Reformatory and female inmates of Long Lane School or the Connecticut State Farm for Women may be committed to said department of state farm for women in the manner hereinafter set forth. When, in the opinion of the physician of any of said in-

stitutions certified in writing to the superintendent thereof, any inmate thereof is a defective delinquent or vicious feeble-minded person, such superintendent shall bring his complaint alleging such fact to any court in the county in which such institution is located which has jurisdiction to commit persons to said department of said Connecticut Reformatory or to said department of said state farm for women, and such court shall thereupon proceed as though such complaint had been brought to such court by its prosecuting officer relating to a person not sentenced or committed, and a commitment in such proceedings shall have the same effect as a commitment in proceedings on complaint of such prosecuting officer and shall terminate any previous sentence or commitment. If the court shall find that such inmate is not a defective delinquent or vicious feeble-minded person, it shall return such inmate to such institution to serve the remainder of the term for which he or she was sentenced or committed. Any person committed under this act or any relative, friend or person interested in his welfare may bring an application to the superior court for the county of New Haven alleging that the person so committed is unjustly deprived of his liberty and asking for his release. Said court shall make such order of notice thereof as it shall deem advisable including therein an order of notice to the prosecuting officer of the court by which such person was committed and shall not proceed to dispose of such application until such officer has had a reasonable opportunity to appear and oppose such application. Said court may, if it shall deem advisable, appoint a commission of two or more persons to investigate the circumstances of the case. Such commission shall have authority to and shall visit said department of said Connecticut Reformatory or said department of said Connecticut State Farm for Women, as the case may be, interview such person in private and carefully examine the records of the case, and the report of such commission, either in person at a hearing upon such application or in writing, shall be evidence admissible at the hearing on such application to prove the facts therein contained. Upon such application, said court, if it shall find that such person has been unjustly deprived of his liberty may order his discharge and may tax costs therein, including a reasonable fee to the members of such commission and, if the accused shall not be able to defray the expenses of such proceeding, it may include the same in such costs, and it may tax the whole or any part thereof against the state as in criminal cases. Subject to the provisions of chapter 105a of the 1937 supplement to the general statutes, the superintendent of said reformatory and the superintendent of said farm for women may each appoint a medical director for the department. The superintendent, officers and board of directors of said reformatory and said farm for women are, respectively, given the same powers and duties as to said departments, and the inmates thereof, as they, respectively, possess at the time of the passage of this act, when such powers and duties are not contrary to the provisions of this act, and all general statutes applying to said reformatory and to said farm for women shall apply to these departments when not contrary to the provisions of this act.

Sec. 1825 as amended by Sec. 586e. Industrial fund. The directors of the Connecticut Reformatory shall use the industrial fund as a revolving fund in the establishment and continuance of such industries as they may direct and for the purchase of manufacturing materials and equipment; provided no single article of equipment at a cost of more than two thousand dollars shall be purchased from this fund without the approval of the commissioner of finance and control. Claims against the state in behalf

1921, C.362, S. 1, 2, 3
1939
1937, S. 375d

of said reformatory shall be paid by order of the comptroller drawn against said fund. The proceeds of all sales resulting from such industries shall be paid into the state treasury and credited to said fund. At the end of each fiscal period, any balance in excess of one hundred thousand dollars, as shown by the inventory of manufactured articles, materials on hand or in process of being manufactured, bills receivable and cash balance, shall revert to the state treasury.

1918, S. 1834

Sec. 1826. Superintendent and other officers. The directors shall appoint and remove at pleasure a superintendent of said reformatory, who, before entering upon the duties of his office, shall execute a bond to the state in the sum of five thousand dollars and shall be sworn to a faithful performance of his duties, and a chaplain and a physician of said reformatory, each to receive such compensation as shall be fixed by the directors; and shall also appoint, in writing, on the nomination of the superintendent, all the subordinate officers of said reformatory, who shall be sworn before one of the directors to a faithful performance of their duties. The superintendent alone may remove any officer nominated by him. The clerk of said reformatory shall execute a bond to the state in the sum of five thousand dollars.

1918, S. 1835

Sec. 1827. Superintendent; powers and duties. The superintendent shall manage said reformatory, subject to the rules of the directors and their written orders. He shall keep the inmates employed in such manner as to provide, so far as may be, for their support, for their recovery from evil habits and for the formation by them of the ability and disposition to support themselves and those dependent upon them, and shall, under the supervision of the directors, establish and enforce such system of rewards and penalties as shall appear best fitted to accomplish these results. He shall provide for the inmates suitable food and clothing, and proper implements and materials for their work; shall provide for the relief of any sick or infirm inmates; shall supervise the labor and conduct of the inmates; shall act as general agent of the reformatory in the purchases and sales therefor; shall keep accurate accounts and render the same to the directors at their stated meetings, and shall furnish to said directors when requested any information in his knowledge respecting the reformatory; and may, in his own name, as superintendent, sue on any contract made by him in the business of said reformatory.

1918, S. 1836

Sec. 1828. Officers; rules; fines; suits. The superintendent shall make proper regulations for the government and punishment of the officers and overseers of said reformatory, but no punishment shall be inflicted except a fine not exceeding three months' wages and the forfeiture of the clothing supplied to them by the state; and shall make regulations relative to persons admitted within or found lurking without the reformatory yard and enforce the same by apprehending offenders and placing them under guard or excluding them from the environment of the institution, or, in case of obstinancy or apparent design to assist the inmates to escape, by confining them for not longer than twenty-four hours in any suitable department of the reformatory, except the cells, until other disposition of them can be made. The superintendent and the officers and guards under his command shall not be liable for imprisonment in any civil suit; but when any just claim, to the amount of fifty dollars, against the superintendent, the chaplain or the physician shall not be paid on demand, the directors shall discharge him; and when any such claim against any officer or guard shall not be so paid, the superintendent shall discharge him as soon as the safety of the reformatory will permit.

Sec. 1829 as amended by Sec. 587e. Public welfare council; Connecticut Reformatory, authority. The public welfare council shall have, with reference to the reformatory, the same authority that is conferred upon said department by sections 713c and 714c. 1918, S. 1837 1930, S. 1829 1937, S. 376d

Sec. 1830 as amended by Sec. 375g. Commitments; uniform forms. Male persons between the ages of sixteen and twenty-five years who are convicted of offenses for which they may be punished by imprisonment for a shorter period than life, either in the state prison or in a jail, may be committed to the reformatory if they seem to the trial court to be amenable to reformatory methods; but no justice of the peace shall commit any offender to the state reformatory. The judge imposing a reformatory sentence may fix the term for which any offender may be imprisoned in the reformatory, or he may impose a sentence of imprisonment in the reformatory without specifying the term of imprisonment. Uniform forms of warrants of commitment to the Connecticut Reformatory shall be used by all courts making commitments thereto, which forms shall be prepared by the attorney general and printed and furnished by the reformatory. Effective June 29, 1943. See Appendix (L). 1918, S. 1838, 1839 1919, C. 80, C. 262, S. 1, 7 1943 See Sec. 1897

Sec. 1831 as amended by Sec. 376g. Detention for offense punishable by prison or jail sentence. Any offender sentenced to the reformatory by a superior court, when no term of imprisonment has been fixed by the judge imposing such sentence, for an offense punishable by imprisonment in the State Prison, may be detained in the reformatory not more than five years. *** Any offender sentenced to the reformatory, when no term of imprisonment has been fixed by the judge imposing such sentence, for an offense for which the maximum punishment is a sentence to jail, with or without a fine, may be detained in the reformatory not more than two years. 1918, S. 1838 1919, C. 80, C. 262, S. 2, 3 1943

Sec. 1832 as amended by Sec. 377g. What courts may sentence to reformatory. Any municipal court, or the court of common pleas may sentence offenders to the reformatory. Any offenders so sentenced may be detained in the reformatory not more than two years, unless the sentence of the court in any particular case shall be for a lesser term. The limit of jurisdiction of the courts named in this section shall be for offenses, the punishment for which shall be a fine of not more than one thousand dollars or imprisonment in the State Prison for not more than five years or both. An appeal may be taken by the accused within forty-eight hours from the time of sentence, from a judgment so imposed by a municipal court, as is provided by law in other criminal cases. See Appendix (L). 1918, S. 1838 1919, C. 80, C. 262, S. 4 1943

Sec. 378g. Transfers from county jails to the Connecticut Reformatory. In addition to the persons who may be committed to the Connecticut Reformatory under any other provision of law, the sheriff of any county may, upon the written approval, in each case, of a judge of either the superior court or the court of common pleas, or the judge of any municipal court who has committed such person, transfer any inmate or inmates of the county jail in such county to the reformatory, there to be confined under the rules and regulations of said reformatory and to serve the unexpired portion of any sentence imposed by a court of competent jurisdiction. 1943

Sec. 1830. Finding of superior court of age of defendant cannot be attacked in a habeas corpus action. 100 C. 503. Application to city courts having special charter provisions as to jurisdiction. 95 C. 601.

Sec. 1830. Cited. 115 C. 596. 116 C. 142.

Sec. 1831. Cited. 116 C. 138.

1943

Sec. 379g. Segregation of persons transferred from jails. Such structural changes shall be made in and to the reformatory plant and property that persons committed to said reformatory in the first instance by any municipal court, the court of common pleas or the superior court shall be segregated from those persons who may be transferred to said reformatory from county jails, and shall receive adequate medical and psychiatric care.

1918, S. 1838
1919, C. 80
C. 262,
S. 5

Sec. 1833. Transfer from Connecticut School for Boys. Inmates of the Connecticut School for Boys, between the ages of fourteen and twenty-one years, whom the trustees of said institution desire to have transferred to the reformatory and whom the directors of the reformatory are willing to receive, may be so transferred. Offenders of this class may be detained at the reformatory for the same period for which, except for their transference to said reformatory, they could have been held at said school for boys.

See Sec.
1880

1918, S. 1838
1919, C. 80,
C. 262,
S. 6

Sec. 1834. Supplementary penalty not to be imposed. When a person shall be sentenced to the reformatory for an offense for which a fine is provided by law as a supplementary penalty, the trial court shall impose no such supplementary penalty.

1918, S. 1846

Sec. 1835. Warrant of commitment, execution. Any proper officer having a warrant for the commitment of any person to said reformatory shall execute the same by delivering such person and warrant to the superintendent of said reformatory, or his agent, at the reformatory, within one week after sentence is imposed. Such officer shall receive for transportation of such person twenty-five cents per mile, to be taxed and paid in the same manner as other costs in criminal cases.

1918, S.
1840, 1841,
1842
1921, C. 134

Sec. 1836. Parole; violation. Discharge of paroled prisoner. Any inmate of the reformatory may be paroled in the discretion of a majority of the board of directors of said reformatory and the superintendent thereof, acting as a reformatory board of parole, under such rules and regulations as it may establish. While upon parole, such inmate shall remain in the legal custody and under the control of the reformatory board of parole and may at any time be taken back to the reformatory for any reason that shall seem sufficient to said board. The request of said reformatory board of parole, or of any person authorized by the rules of said board, shall be sufficient warrant to authorize any officer of said reformatory, or any officer authorized by law to serve criminal process within this state, to return any inmate on parole into actual custody; and the police officers, constables and sheriffs shall arrest and hold any paroled inmate when so requested, without any written warrant; and, for the performance of said duty, the officer, except officers of said reformatory, shall be paid by the directors out of the reformatory funds such compensation as is provided by law for similar services in other cases. Any paroled inmate who shall be returned to said reformatory for violation of his parole may be detained in said reformatory for a period equal to the unexpired portion of the term of his sentence at the date of his release on parole or may again be paroled by said board. If it shall appear to said board that any inmate on parole will continue to lead an orderly life, said board, by a unanimous vote of all the members present at any stated meeting thereof, may declare such inmate discharged from said reformatory, and shall deliver to him a written certificate to that effect under the seal of said board and signed by its secretary and the superintendent.

Sec. 1836. Cited. 116 C. 142, 143.

Sec. 1837. Transfers to the Connecticut Junior Republic. The directors of the Connecticut Reformatory are authorized to transfer, upon such terms as they deem proper, any inmate of the reformatory who in their opinion will be benefited by such transfer, to the Connecticut Junior Republic at Litchfield; but such republic may refuse to receive such inmate. The Connecticut Reformatory shall pay to said republic the sum of four dollars per week for each person so transferred as long as he shall continue to reside at said republic. 1918, S. 1833 See Sec. 1880

Sec. 1838. Transfer to jail or prison. Any inmate of said reformatory who shall persistently refuse to obey the regulations of said institution, and who shall appear to the directors to be incorrigible, may, upon the order of said directors, be transferred to the jail of the county from which he was sentenced, or to the State Prison, there to remain not exceeding in all the term for which such person might otherwise have been detained at the reformatory; provided any person so transferred to a county jail shall remain subject to the control of said reformatory and any person transferred to the State Prison shall be subject to the control of the authorities of said prison. 1918, S. 1843 1921, C.321

Sec. 1839. Aiding escape; penalty. Any person who shall effect, or attempt to effect, the escape of any prisoner legally confined in the reformatory shall be imprisoned in the State Prison not more than five years. 1918, S. 1844

Sec. 1840. Escape from officer; penalty. Any person, in the custody of any sheriff, deputy sheriff or other officer, for transportation to the reformatory, who shall escape or attempt to escape from the custody of such officer, and any person legally confined in the reformatory, who shall escape or attempt to escape therefrom, or from the custody and control of the superintendent while outside of the bounds of the reformatory, shall be imprisoned in the State Prison for not more than ten years. The sentencing of a person under the provisions of this or the preceding section shall terminate his reformatory sentence and he shall be at once committed to the State Prison. 1918, S. 1845

Sec. 1841. Mentally ill inmates; transfer. Whenever, in the opinion of the physician of said reformatory, certified in writing to the superintendent of said institution, any inmate shall have become mentally ill, the superintendent shall report the fact to the governor, and thereupon the governor shall issue an order to said superintendent or to any proper officer to take such inmate, with a certified copy of the record of his commitment to the reformatory, and deliver him and said record to the superintendent of one of the state hospitals for mental illness, there to be safely kept until the expiration of the term for which he was committed to said reformatory or until he shall have recovered his mental health. If, before the expiration of the term for which he was committed to the reformatory, he shall, in the opinion of the superintendent of said hospital, have recovered his reason, the governor shall issue an order to the superintendent of the reformatory or to any proper officer to take such inmate from the hospital and deliver him to the authorities of said reformatory. 1918, S. 1847

Sec. 1842. Detention of mentally ill after expiration of sentence. When any inmate shall have been, by order of the governor, transferred from the reformatory to one of the state hos- 1918, S. 1848

Sec. 1838. This statute a valid one. The possibility of a transfer is an incident annexed to the sentence. The directors may authorize a transfer to take effect at the expiration of a prison sentence. 116 C. 139, 143.

pitals for mental illness and shall be confined in such hospital at the time of the expiration of the term of imprisonment for which he was committed to the reformatory and shall still be mentally ill, the superintendent shall certify such facts to the governor, who may issue an order for further detention in such hospital until such inmate shall have recovered his mental health, and the governor shall cause such order to be transmitted to said superintendent. The expense of such detention, support and treatment shall be paid out of the estate of such person, if he have any estate; if he have no estate, it shall be paid by the town to which he belongs and, if he shall belong to no town in this state, it shall be paid by the state. When such person shall have fully regained his mental health, the superintendent of said hospital shall discharge him therefrom.

1918, S. 1849

Sec. 1843. Conveyance of articles to inmates. Any person, not authorized by law, who shall convey or pass, or cause to be conveyed or passed, into said reformatory or the grounds or buildings thereof any opium, cocaine, chloral, chloroform or other narcotic, or any intoxicating liquors, or any firearm, weapon or explosive of any kind, or any rope or ladder or other instrument or device for use in making, attempting or aiding an escape, shall be fined not more than one thousand dollars or imprisoned not more than five years or both. The unauthorized conveying or passing into said reformatory or the grounds or buildings thereof, of any rope, ladder or other instrument or device adapted for use in making or aiding an escape shall be presumptive evidence that it was so conveyed or passed for such use. Any unauthorized person who shall convey into said reformatory any letter or missive which is intended for any inmate, or who shall convey from within the inclosure to the outside of said reformatory any letter or other missive written or given by any inmate, shall be fined not more than one hundred dollars or imprisoned not more than one year or both. Any person attempting to violate any provision of this section shall be subject to the penalty imposed for a violation thereof.

Connecticut School for Boys

1941

Sec. 266f. Purpose. The Connecticut School for Boys shall remain as established, to provide training for socially-maladjusted boys and shall function both as an educational and as a child welfare institution.

1918, S. 1800, 1801
1930
1931, S. 691c
1941

Sec. 1844 as amended by Sec. 267f. Appointment and term of trustees. The government of said school shall be vested in a nonpartisan board of seven members to be appointed by the governor with the advice and consent of the senate. Two members of said board shall be appointed from Meriden or adjoining towns. During the regular session of 1941, and quadrennially thereafter, three trustees shall be appointed for four years from the first day of July following their appointment. During the regular session of 1943, and quadrennially thereafter, four trustees shall be appointed for four years from the first day of July following their appointment. The governor may fill any vacancy occuring when the general assembly is not in session and may remove any trustee for cause. The trustees shall serve without compensation.

1918, S. 1802
1941

Sec. 1845 as amended by Sec. 268f. Duties and powers of trustees. The board of trustees shall determine the policies of said school and shall adopt such rules and regulations as may

be necessary for its management. It shall acquaint itself with the functions and objectives of a training school for socially-maladjusted boys, determine the services which are required to attain said objectives and provide same. The board shall have power to appoint a superintendent, to prescribe his duties, to recommend his compensation and to remove him for cause. Conformably with the merit system and upon recommendation of the superintendent, the board shall exercise similar authority toward all other employees. It shall have power to place a boy outside said school at any time, in his own home or elsewhere, under supervision of its representatives and it may order the return of the boy from placement to said school at its discretion. The board shall also have power to discharge him permanently from the school's care, either for the reason that the boy no longer requires such care or because he has become an unsuitable subject for the school's program of treatment, in which latter case he shall have passed his sixteenth birthday. Said board shall report biennially to the governor concerning the affairs of the school and shall make recommendations for the improvement of its work.

Sec. 1846 as amended by Sec. 269f. Industrial fund. The trustees of the Connecticut School for Boys shall use the industrial fund as a revolving fund in the establishment and continuance of such industries as they may direct and for the purchase of supplies and equipment. Claims against the state in behalf of said school shall be paid by order of the comptroller drawn against said fund. The proceeds of all sales resulting from such industries shall be paid into the state treasury and credited to said fund. At the end of each fiscal period, any balance in excess of twenty-five hundred dollars, as shown by the inventory of manufactured articles, material on hand or in process of manufacture, bills receivable and cash balance, shall revert to the state treasury. 1929, C. 44 1930 1937, S. 588e 1941

Sec. 1847 as amended by Sec. 270f. Superintendent. The superintendent shall be qualified by a liberal background of education in the social sciences, shall have been engaged in educational or other work with children and shall have had successful administrative experience within his professional field. He shall be the administrative head of the institution and shall be responsible for the organization of its work and for the direction and the coordination of its various activities. He shall be responsible for the discipline of the boys and staff and for the maintenance of acceptable standards in the school's program. He shall appoint all members of the staff, subject to the approval of the board and in conformity with other laws of the state. The superintendent shall be responsible to the board of trustees for the preparation of the budget. 1918, S. 1804 1941

Sec. 1848 as amended by Sec. 271f. Admissions. Any boy under sixteen years of age, who, because of conduct or behavior problems, is found to be in need of its services, may be committed to the Connecticut School for Boys by any competent court. No court shall commit any boy who is suffering from, or who has recently been exposed to, any communicable disease, or any boy who, because of his mental or physical condition, cannot profit by the school's program. All commitments shall be for the period of minority, subject to discharge by the board of trustees. When the number of boys in residence shall equal the stated capacity 1918, S. 1806 1921, C. 336, S. 1 C. 356, S. 2 1927, C. 260 1941

Sec. 1848. Statute constitutional. Court may take up the matter without formal complaint. 51 C. 472.

Sec. 1848. Cited. 115 C. 596.

of the school, the president of the board shall give notice of the fact to all courts having power to commit and, thereafter, no boy shall be sent to the Connecticut School for Boys by said courts until notice shall be given them by the president of the board that vacancies exist.

1918, S. 1818
1921, C. 374
1930
1937, S. 589e
1941

Sec. 1853 as amended by Sec. 272f. Agent; to supervise paroled boys. The trustees of the Connecticut School for Boys shall appoint an agent, not of their number, who, under their direction and supervision, shall secure suitable homes and employment for boys released from said school on parole, shall investigate the condition and ability of parents and relatives who petition for the release of boys confined in the school and shall obtain, by personal visitation and investigation at least once every four months during their minority, reliable information concerning the conduct of the boys released on parole, the occupations they are pursuing and the suitableness of the homes in which they are living. The agent shall also perform such duties and assist in such work at the school, under the direction of the superintendent, as the trustees may deem necessary and advisable, to give him personal acquaintance with the boys therein confined. Said agent shall immediately make a detailed written report to the superintendent of all his visitations, and the superintendent shall keep the same on file and lay it before the board of trustees at its regular meetings. The agent, whenever he shall find the conduct or home surroundings of any boy released on parole to be unsatisfactory, shall recommend to the trustees the return of the boy to the school or his removal to a more suitable home. He shall make, annually, a general report of the number and condition of all boys placed out from the school, which shall be published with the annual report of the trustees.

The State Prison

1918, S.
1928, 1929

Sec. 1971. Appointment and removal of directors. The land of the state, and its appurtenances, in Wethersfield, shall remain the State Prison. There shall be seven directors of the State Prison, who shall be appointed by the governor with the advice and consent of the senate. During the regular session of the general assembly of 1931, and quadrennially thereafter, four of said directors shall be appointed for four years from the first day of July following their appointment, and during the regular session of the general assembly of 1933, and quadrennially thereafter, three of said directors shall be appointed for four years from the first day of July following their appointment. The appointments made shall, so far as it is practicable, be of a non-partisan character. The governor may fill any vacancy which may occur when the general assembly is not in session until its next regular session. The governor shall have power to remove any of the directors for cause.

1918, S. 1931

Sec. 1973. Duties of directors. The directors shall at all times have free access to every part of the prison and to the prisoners, and to all the accounts of the warden; make all necessary rules for the government of the prison and the employment of the prisoners; collectively attend twice in each quarter at the prison and examine at each meeting into the condition of the prison and the prisoners. They shall report annually to the governor the condition of said prison, together with suggestions as to the criminal laws and the laws relating to said prison; and a copy of such

report shall be sent to the secretary of each state of the United States. No director shall act as counsel for any prisoner applying for release.

Sec. 409g. Industrial fund for the State Prison. The directors of the State Prison shall use the industrial fund for the State Prison and the State Prison farm as a revolving fund for the maintenance and continuance of such industries as they may direct, for the purchase of supplies, stock, tools, machinery and other equipment and to promote in any way the industrial activities at the State Prison and the State Prison farm. The proceds from all sales resulting from such activities shall be paid to the state treasurer and credited to said fund. The governor, comptroller and commissioner of finance and control shall determine the amount to be invested in machinery and equipment, and shall determine at the end of each fiscal year the amount of cash working capital to be retained in said fund. All cash in excess of the amount so determined shall be transferred to the general fund of the state. The directors of the State Prison shall file a balance sheet and statement of operations with the comptroller at such times as he may order. A copy of such statement shall be filed with the auditors of public accounts. 1943

Sec. 1467e. Disposition of person who becomes mentally ill after being sentenced to death. When any person detained at the State Prison awaiting execution of a sentence of death shall appear to the warden thereof to be mentally ill, the warden may make application to the superior court for the county of Hartford having either civil or criminal jurisdiction or, if said court be not in session, to any judge of the superior court, and, after hearing upon such application, notice thereof having been given to the state's attorney for the county wherein such person was convicted, said court or such judge may, if it appears advisable, appoint three reputable physicians to examine as to the mental condition of the person so committed; and, upon return to said court or such judge of a certificate by such physician, or a majority of them, stating that such person is mentally ill, said court or such judge shall order the sentence of execution to be stayed and such person to be transferred to any state hospital for mental illness in this state for confinement, support and treatment unil the shall recover his mental health, and shall cause a mittimus to be issued to the sheriff of Hartford county, or either of his deputies, for such commitment. If, at any time thereafter, the superintendent of the state hospital to which such person has been commited shall be of the opinion that he has recovered his mental health, he shall so report to the state's attorney for the county wherein the conviction was had and such attorney shall thereupon make application to the superior court in such county having criminal jurisdiction, for the issuance of a warrant of execution for such sentence, and, if said court shall find that such person has recovered his mental health, it shall cause a mittimus to be issued for his return to the State Prison, there to be received and kept until a day designated in the mittmus for the infliction of the death penalty, and thereupon said penalty shall be inflicted, in accordance with the provisions of the statutes. 1939

Board of Pardons

Sec. 1997. How constituted; disqualification. Appointive members. The governor, a judge of the supreme court of errors to be designated for that purpose by the judges of that court, and four other persons, one of whom shall be a physician, shall constitute 1918, S. 2012, 2013

the board of pardons. If the judge so designated shall have tried or heard any case that shall come before said board, or if any member of said board shall have formed an opinion in any matter that shall come before it, neither such judge nor such member shall act concerning the same, but no member of said board shall be disqualified by reason of having previously heard such case or having formed an opinion thereon at any former application for pardon by the same applicant. Whenever said board at any session shall find that any of its members, by reason of sickness or absence from the state, is unable to attend or is disqualified, the governor may appoint some person to fill such vacancy, and the person so appointed shall have the same power as any other member of said board during such absence, inability or disqualification. The governor shall biennially appoint two members of said board, with the advice and consent of the senate, who shall hold their offices for the term of four years from the first Monday of June next succeeding their appointment. Not more than two of the four members so appointed shall belong to the same political party. Any vacancy which may occur when the general assembly is not in session may be filled by the governor until the second Wednesday of the succeeding session of the general assembly.

1918, S. 2014
1930
1931
1935

Sec. 1998 as amended by Sec. 787c. Jurisdiction. (a) Jurisdiction over the granting of, and the authority to grant, commutations of punishment or releases, conditioned or absolute, in the case of any person confined in the State Prison and commutations from the penalty of death, shall be vested in the board of pardons. (b) Said board shall have authority to grant pardons, conditioned or absolute, for any offense against the state at any time after the imposition and before or after the service of any sentence. No pardon shall restore the privileges of an elector to any person who shall have forfeited the same by reason of conviction of crime. See Appendix (LI).

1918, S. 2015
1925, C. 50
1930
1937, S. 421d

Sec. 1999 as amended by Sec. 639e. Sessions. Said board shall hold a session at Hartford or Wethersfield on the first Monday of May and of November in each year, and at such other times as shall be fixed by its rules, and it may hold a special session when and where occasion may require. All members of said board shall concur in order to make their judgment operative. Said board shall appoint a clerk and fix by rule the mode of procedure before it and the manner in which its judgment shall be carried into effect.

1918, S. 2016, 2017

Sec. 2000. Attendance of witnesses and sheriff. Said board shall have all the authority of the superior court to compel the attendance of witnesses duly summoned by the clerk of said board or other competent authority. The sheriff of Hartford County or his deputy shall attend the sessions of said board and shall receive therefor the fees provided for the sheriff's attendance upon sessions of the superior court.

1918, S. 2018

Sec. 2001. Prisoners; attendance; expenses. The clerk of said board shall have power to issue process under his hand and the seal of said board to the warden of the State Prison, and to the jailers in the several counties of the state, commanding them to have before said board the bodies of the prisoners named in such process who are confined in said prison or in jail. The sums paid for witnesses and other necessary expenses authorized by said board shall be certified by the chairman of the board, and the comptroller shall draw his order on the treasurer for the same.

Sec. 2004. Information about prisoner. Said board may institute inquiries by correspondence or otherwise as to the previous history or character of any prisoner, and each prosecuting officer, judge, police officer or other person shall give said board, upon request, such information as he may possess with reference to the habits, disposition, career and associates of any prisoner. 1918, S. 2022

Jails

Sec. 2005. Location. Definitions. There will be a jail in each of the following towns: New London, Norwich, Bridgeport, Danbury, Brooklyn, Litchfield, Haddam and Tolland, and one jail in each of the counties of Hartford and New Haven. Said jails are county workhouses, and any county may build and maintain one or more other workhouses, and may purchase suitable land upon which to locate the same. The county commissioners may establish rules for the regulation and government of county workhouses, and shall direct as to the labor to be performed by the prisoners and the discipline to be enforced. The term "jail", as used hereafter in this chapter except in section 2015, shall mean jail or county workhouse; and the term "jailer" shall include the sheriff when acting as jailer or master of a workhouse, or any deputy jailer, or any person under him in charge of a jail or workhouse. 1918, S. 1961, 1994, 2002, 2003, 2004, 2006

Sec. 2006. Sheriff to be jailer. Deputy jailer. Sheriffs shall have the charge and custody of the jails and county workhouses in their respective counties, and shall be jailers of such jails and masters of such workhouses, ex-officio. Sheriffs may appoint a deputy jailer or jailers and other officers and employees under them in their respective counties, in jails and county workhouses, the number of such deputy jailers, officers and employees to be fixed and limited by the sheriffs in their respective counties; and the sheriffs shall be responsible for all damages that any person may sustain through the fault or negligence of any person so appointed by them. In case any sheriff shall not appoint a deputy jailer or jailers, such sheriff shall be jailer with the powers and duties which belong to deputy jailers. 1918, S. 1962, 2005

Sec. 2007 as amended by Sec. 411g. Board of prisoners. Compensation, duties and bonds of jail employees. Compensation and duties of jailers. The county commissioners in their respective counties shall fix the sum to be received for boarding prisoners, not exceeding three dollars per week. The compensation of jailers and of the deputy jailer or deputy jailers and other officers 1918, S. 1963 1919, C. 118 1943

Sec. 2005. Cited. 127 C. 57.

Sec. 2006. Sheriff has control of jail, used as a workhouse, and of its officers. 25 C. 103. Commissioners have no power of appointment. Ibid. Liability of sheriff is placed upon grounds of public policy. 5 D. 37. The voluntary return of a prisoner is equivalent to recaption, and if before action brought, excuses sheriff. 2 C. 473. Detention by creditor, to prevent return of escaped prisoner, excuses the sheriff. Id. The rule of damages, for prisoner's escape, is the amount of execution, with interest from time of escape. 3 C. 423; 8 C. 63. A prisoner departed from the jail liberties, with jailer's consent; the sheriff held liable. Ib. As to form, consideration for, conditions and breach of bond, demand and damages, see 8 C. 63. Mandamus lies against removed deputy jailer, for possession of jail. 25 C. 110. Control of jailer over prisoner awaiting trial. 72 C. 728. Sheriff who releases prisoner upon certificate that poor debtor's oath has been taken, regular on its face, is protected. 91 C. 510. 129 C. 550.

Sec. 2007. Cited 127 C. 58.

and employees shall be fixed by the sheriffs in their respective counties, subject to the approval of the county meeting. The sheriff shall prescribe their respective duties and require them to give bonds with sureties to the acceptance of the county commissioners, payable to the county treasurers in their respective counties, for the faithful performance of their duties, such bonds to be filed with the county treasurers. Such deputy jailer or deputy jailers and other officers and employees shall be under control and direction of the sheriffs in their respective counties.

1918, S. 1965

Sec. 2011. Bedding and fuel. Suitable bedding and fuel for the prisoners shall be furnished in each county by and under the direction of the county commissioners, at the expense of the county.

1918, S. 1976

Sec. 2012. Provision for sick prisoners. The county commissioners in their respective counties shall provide a safe room within the jails or jail buildings for the confinement of sick prisoners, and furnish the same with suitable bedding, furniture and fuel, for the proper care and nursing of such sick prisoners and for the accommodation of necessary attendants for them.

1918, S. 1988

Sec. 2013. Removal to another jail; sickness. When the prisoners in any jail shall be exposed to any malignant sickness, the county commissioners of the county in which such jail is located shall cause them to be removed at the expense of the state to a jail in the same or an adjoining county, there to be kept until such sickness shall abate and then returned by such commissioners at the expense of the state to the place from which they were taken; and all keepers of jails to which such prisoners may be so removed shall receive and keep them safely until they shall be remanded as aforesaid or lawfully released.

1918, S. 1969

Sec. 2017. Employment of prisoners. The county commissioners of any county may, with the consent of the sheriff of such county, cause prisoners serving terms in the jail or workhouse thereof to labor upon any bridge or public highway or property adjacent thereto, or in, upon or about any property in such county; and the county commissioners may require all convicts in jails or workhouses to work according to their ability; permit other prisoners therein, if the latter desire, to be provided with materials for work and employment; require the deputy jailer or deputy jailers or other officers and employees to superintendent the conduct and labor of the prisoners and prescribe rules for the government, management, discipline and employment of the prisoners in the jails and jail buildings of their respective counties; and the respective sheriffs shall enforce such rules. The commissioners shall visit the jails in their several counties at least once a month, examine into their management and audit all accounts pertaining to the jails.

1918, S. 197

Sec. 2018. Food. Clothing. Medical aid. Tools. The deputy jailer or deputy jailers, under the rules and directions of the county commissioners, shall procure suitable food, clothing and medical aid for prisoners committed on criminal process, and such implements and materials as shall be proper for employing and keeping such prisoners at work and the commissioners shall draw their orders in payment for the same upon the treasurers of their respective counties.

Sec. 2011. Cited. 127 C. 57.

Sec. 2012. Cited. 127 C. 57.

Sec. 2017. Cited. 127 C. 57.

Sec. 2020. Town wherein he is convicted is not liable for prisoner's support. 7 C. 529.

Sec. 2022. Labor for fine and costs; limitation. Each person committed to any jail upon conviction of any criminal offense, and held therein only for fine and costs or both, shall be discharged when the labor of such person at the rate of one dollar a day shall amount to such fine and costs; but no person shall be held in jail for the costs, if unable to pay them, more than four months on any one conviction. 1918, S. 1977

Sec. 2023. Release of sick prisoners. Any person committed to jail, becoming sick with malignant, contagious or infectious disease or malady which from its nature will be incurable during his term of imprisonment, may be released from such jail by an order from the state's attorney for the county where such jail is situated, indorsed with the approval of any judge of the superior court or of the county commissioners of such county. 1918, S. 1978

Sec. 2024. Commutation for good behavior. Each person confined or committed to any county jail for a period of not less than three months may, for prompt obedience to the rules of the jail, have five days deducted from each month of his sentence by the county commissioners, upon a report of the jailer certifying to such good conduct. 1918, S. 1991

Sec. 2025. Liberties of jail. The county commissioners may designate a reasonable space of ground adjacent to each jail for the liberties thereof and may alter the same; and the sheriff shall permit any person in his custody on civil process to go at large in such liberties, upon giving the sheriff a bond to his acceptance, with surety, conditioned that he will remain a prisoner within such liberties until lawfully discharged; and may require a new bond with surety and, on the neglect of the prisoner to give it, may commit him to close confinement until he shall give it; and may commit any prisoner to close prison when he shall have voluntarily departed from such liberties. 1918, S.1979

Sec. 2026. Prisoners on civil process. Prisoners on civil process shall not be lodged in the same room with prisoners on criminal process. The jailer shall not be obliged to furnish support to any prisoner committed on civil process, except as hereinafter provided. 1918, S. 1980

Sec. 2025. Escaped prisoner on jail liberties may be retaken. 2 R. 174, 334. Nominal damages only are given against sureties on bail bond, when the creditor's remedy against sheriff is barred. 1 R. 127; 2 R. 336, 337; 25 C. 410. Escape by creditor's procurement subjects sheriff to norminal damages only. 2 R. 337. When recapture, before action brought, is prevented by creditor's act, sheriff is not liable. 2 C. 473. Sheriff cannot recover if jailer consented to prisoner's escape. 3 C. 426, 427. Seal not required on bail piece; simple contract valid. 8 C. 63. Sheriff is not obligated to retake escaped prisoner; may look to bond. 1 R. 128; 8 C. 63. Employment of debtor, within jail limits, is no escape. 25 C. 410. Boundaries of jail limits considered. 2 C. 282. Boundaries as originally established not affected by change of highway. 25 C. 410. Officer had no knowledge of any property of debtor, who upon demand, exhibited none; held, arrest of body was lawful. 37 C. 71. Sureties are not entitled to notice of principal's default to fix liability. 37 C. 71. Unlawful restriction of debtor's liberty will not excuse his departure from jail limits. Ib. Escape from liberties is escape from jail. 68 C. 449.

Sec. 2025. A going at large beyond the jail limits even for a short time and followed by a return to custody is an escape for which the sheriff is liable. 116 C. 28.

Sec. 2026. 128 C. 319.

1918, S. 1931, 1932

Sec. 2027. Poor debtor's oath; proceedings; discharge. Any prisoner on civil process may apply to a justice of the peace to take the oath provided for poor debtors and shall cause notice signed by a justice of the peace to be given to the adverse party, if an inhabitant of the state, otherwise to his attorney, to appear and show reason why such oath should not be administered; which notice shall be served at least four days inclusive before the day specified for administering such oath, by some proper officer or indifferent person, who shall leave an attested copy thereof with the person to be notified or at his usual place of abode; and the justice of the peace to whom such notification is returnable shall inquire into the matter and, if no sufficient reason is shown to the contrary, administer to such debtor the following oath.

> You, A. B., solemnly swear that you have not any estate, in possession, reversion or remainder, of the value of seventeen dollars in the whole, or sufficient to pay the demand for which you are imprisoned, except what is by law exempt from execution, and that you have not, directly or indirectly, disposed of all or any part of your estate, thereby to secure the same, or to receive or expect any advantage therefrom, or to defraud your creditors; so help you God.

The jailer shall thereupon discharge such prisoner from jail, unless the creditor shall give to him immediate notice in writing that he intends within fifteen days thereafter, inclusive, to apply for a review, and shall deposit with the jailer such sum of money for a weekly maintenance as the county commissioners shall require in such cases; and, when any prisoner shall take such oath upon several civil processes, such weekly allowance shall be paid by the parties by whom he is detained in prison in equal proportions, and the jailer shall pay to such prisoner each week the amount of his weekly allowance, if by him requested. No person shall be admitted to take the poor debtor's oath who shall refuse to be examined under oath by the adverse party, on the hearing of such application or of any review thereof.

1918, S. 1985 1941

Sec. 2028 as amended by Sec. 331f. Debtor's second application. When any prisoner shall have applied to take such oath and been refused, he shall not afterwards make application therefor unless his circumstances shall have changed, except to a judge of the superior court or of the court of common pleas or to a county commissioner and a justice of the peace in the county in which he is confined, who, notice having been given as aforesaid, may administer such oath, if no sufficient cause be shown to the contrary, and the prisoner shall thereupon be released.

Sec. 2027. Immediate departure of debtor, after taking oath, is a voluntary escape, for which he and sheriff are liable. 2 R. 481; 3 C. 423. The administration of the oath is a ministerial act. 3 C. 107. Prisoner taking oath is entitled to receive the money deposited for his support. 3 C. 499. Peaceful escape of one committed on criminal process is a common law offense. 7 C. 384. Falsely and corruptly taking poor debtor's oath is perjury. 11 C. 408. Nature of process; sheriff protected if certificate shows all necessary steps taken. 91 C. 510. Effect of prior unsatisfied judgment of fraud in concealing assets and of adjudication of bankruptcy within six months. 93 C. 273, 275. Party obtaining judgment is the "adverse party" entitled to notice and if he is inhabitant of state, notice to his attorney is insufficient, four day notice defined 129 C. 545-554.

Sec. 2028. Debtor may apply to justice after decision of a court of review, there being no change in his circumstances. 5 C. 202. And see 93 C. 274.

Sec. 2029 as amended by Sec. 332f. Review on application of creditor. When such oath shall be administered by a justice of the peace upon the original application, the adverse party may, within fifteen days thereafter apply to a judge of the superior court or the court of common pleas or to a county commissioner and a justice of the peace in such county, to review the cause, which application shall be returnable in fifteen days after it is made and reasonable notice thereof shall be given the prisoner; and, if the court of review shall find that such oath ought not to have been administered, he shall thereafter be held in the same manner as though it had been administered. If such application shall not be made within said first period of fifteen days, or shall be discontinued, the debtor shall be discharged from jail at the expiration of said time or upon such discontinuance and, if the court of review shall reject such application, he shall be forthwith released. 1918, S. 1986 1941

Sec. 2030. Support; when and how furnished by creditor. Exception. No jailer shall be required to receive into his custody any prisoner committed to jail on civil process unless the plaintiff in such process shall deposit with such jailer, at the time of such commitment, money for the support of such prisoner for one week at least at the rate established for his weekly maintenance, and thereafter at the same rate weekly in advance, so long as such prisoner shall remain in the custody of such jailer; and such jailer shall not be required to retain such prisoner beyond the time for which such maintenance shall have been paid, provided the payment of such board shall not be required while such prisoner is at large within the jail limits. The provisions of this section shall not apply to commitments on mesne or final process in bastardy cases, nor to commitment under the terms of a judgment or decree. 1918, S. 1983, 1984

Sec. 2031. Execution for creditor's expenses. The creditor may collect on execution all necessary expenses for the detention and maintenance of any such prisoner in jail, when such oath shall not be administered to him, before he shall be discharged. 1918, S. 1987

Sec. 2032. Sexes to be separated. Men and women shall be confined and kept separately. 1918, S. 2000

Sec. 2034. Discharge on terms. When the county commissioners shall be of the opinion that any person committed to any jail or county workhouse under the provisions of the second sentence of section 2033 has so conducted himself, or is so unwell, that he should be discharged, they may discharge him, upon his paying what remains due of the costs of prosecution and commitment, including his support while so confined; or, if they shall be of the opinion that he is unable to pay or secure such cost, they may take his note therefor payable to the town from which such commitment shall have been made, and discharge him. Such town shall pay to the treasurer of the county whatever may remain due for his support while so confined and, upon payment thereof, shall receive such note. When any person so confined shall be held only for the payment of fine and costs and shall have no means to pay the same, the county commissioners may take his 1918, S. 2008

Sec. 2029. Followed and applied in 93 C. 278.

Sec. 2030. The law has since 1810 cast the support of the debtor upon the creditor; money paid therefor is added as costs on the execution. 49 C. 87.

Sec. 2031. See 49 C. 87.

note therefor, payable to the treasurer of the municipality which is liable for the payment of such costs, and he shall thereupon be discharged.

1918, S. 1995, 2001

Sec. 2036. Town workhouses. Any town may establish a workhouse and provide suitable buildings for the confinement of offenders sentenced thereto; furnish materials for their work, direct the kind of labor and the manner and place in which it is to be performed, either in or out of the workhouse, and make any lawful regulations necessary to carry into effect the provisions of this chapter. Towns may join in building, maintaining and managing a workhouse, on such terms as they shall agree upon.

1918, S. 1996

Sec. 2037. Selectmen overseers. Master. The selectmen shall be the overseers of the workhouse; may appoint and for misconduct remove a master of the same; superintendent and direct him as to the management, labor and food of the prisoners; visit such workhouse at least once in three months; see that the law is duly executed and take care that the prisoners are suitably provided for.

1918, S. 1997

Sec. 2038. Duties of masters. The master shall receive all persons lawfully sent to such workhouse and keep them employed in such labor as they shall be able to perform; and, if any one of them shall refuse to work in a proper manner, may put him in close confinement until he shall obey orders and, in case of great obstinacy or perverseness, may reduce him to bread and water until he shall be brought to obedience.

1918, S. 1999

Sec. 2040. Prisoner's support. Each town shall provide for the support of its prisoners in the workhouse; and, if their earnings shall be insufficient to pay the expense, it shall be borne by the town, except in the case of prisoners able to pay it and of children who have parents able to pay it, in which case it shall be paid by them; and the master of each workhouse shall account to the overseers once in six months for the expense of the workhouse and of the labor and earnings of the prisoners; and, if any persons committed to the workhouse shall not be able to work, they shall be properly taken care of, if possessed of estate, at their own expense, if not at the expense of the town where they belong.

1918, S. 6658
1930, S. 6505
1945

Sec. 1018h. Discharge from jail. Any person held in jail for the nonpayment of fine only may, upon application, be discharged from such imprisonment by the court by which he was committed or, in vacation, by any judge thereof, provided such notice of such application and the hearing thereon as the court or judge may direct shall be given to the prosecuting officer of the court.

1945

Sec. 1019h. Destruction of notes received for unpaid fines and costs. The county commissioners and state's attorneys are authorized to destroy any notes over six years old received by them for unpaid fines and costs of persons confined in jail.

Sec. 2036. Commitment must be for definite time. 3 C. 502.

Prisoners

Sec. 6507. Indeterminate sentence. When any person shall be sentenced to the State Prison, otherwise than for life or in connection with a sentence of execution for a capital offense, the court imposing the sentence shall establish a maximum and minimum term for which such convict may be held in said prison. The maximum term shall not be longer than the maximum term of imprisonment prescribed by law as a penalty for such offense, and the minimum term shall not be less than one year; provided, when any person so sentenced shall have twice before been convicted, sentenced and imprisoned in a state prison or penitentiary, the court shall sentence such person to a maximum of thirty years; and provided, in case a person shall be sentenced to the State Prison for two or more separate offenses and the term of imprisonment for a second or further term shall be ordered to begin at the expiration of the first and each succeeding term of sentence named in the warrant of commitment, the court imposing such sentences shall name no minimum term of imprisonment except under the first sentence, and the several maximum terms shall, for the purpose of this section and of sections 6509, 6510, 6511, 6512, 6513 and 6514, be construed as one continuous term of imprisonment. 1918, S. 6660

Sec. 1978 as amended by Sec. 638e. Parole from the state prison. Any provision of section 783c which is inconsistent herewith (see Sec. 1471e) is repealed.* 1918, S. 1932, 1933

Sec. 783c. Powers and duties of warden. Punishment and reward of inmates. The warden shall manage the prison, subject to the rules of the directors and their written orders, and he shall keep all the prisoners employed in such labor as the directors shall order, during the term of their imprisonment, and, in case they are disobedient or disorderly, or do not faithfully perform their task, may put fetters and shackles on them or confine them in dark and solitary cells. He shall keep a book in which a record shall be made of each punishment by solitary confinement, as follows: The name and number or other sufficient designation of the person punished, the day and hour when put in solitary confinement, the day and hour when released, the offense and such remarks as may be necessary to complete the record. He shall also keep a record of the punishment inflicted upon each prisoner, showing its cause, mode and degree, and a like record of the conduct of each prisoner. Any prisoner may, by prompt and cheerful obedience to the rules of said prison, earn a commutation or diminution of his sentence, as follows: Sixty days for each year, and pro rata for a part of a year ,of a sentence which is for more than one year and not for more than five years; and ninety days for the sixth and each subsequent year, and pro rata for a part of a year, and, in addition thereto, five days for each month he shall be employed on a farm operated in connection with said prison; provided any serious act of insubordination or 1923, C. 275 1927, C. 88 1930, S. 1978 1935, S. 783c 1937, S. 420d

Sec. 6507. If statute fixes minimum penalty, court may not give sentence for less period. 84 C. 470. Prior convictions must be alleged. 94 C. 703; 96 C. 172. But accused should first be tried for present crime and jury should not be told of claimed prior convictions; if convicted, issue of prior convictions should then be submitted to jury. 96 C. 172 ff.

Sec. 6507. See note to Sec. 6502. Statute cited. 110 C. 411. Statute construed. 115 C. 602.

Sec. 6507. Cited. 126 C. 220.

*** Sec. 329a.** Cited. 116 C. 140, 143.

Sec. 1978. (783c) (638e) 129 C. 165, 168.

persistent refusal to conform to prison regulations occurring at any time during his confinement in said prison shall subject the prisoner, at the discretion of the warden and board of directors, to the loss of all or any portion of the time earned; but this provision shall not apply to prisoners sentenced to confinement in said prison for a term that is not greater than one year. Said commutation of sentence shall apply to any prisoner transferred from the State Prison to the Connecticut Reformatory. When any prisoner shall be held under more than one conviction, the several terms of imprisonment imposed thereunder shall be construed as one continuous term for the purpose of estimating the amount of commutation which he may earn under the provisions of this section. The warden of the State Prison may employ such number of prisoners as may be approved by the board of directors, outside the prison walls, within the state, under the charge of some officer of the prison. He shall provide for the prisoners suitable food and clothing and suitable implements and materials for their work, and shall provide for the relief of any sick or infirm prisoner, and the cost thereof shall be paid by the state from funds appropriated and available for such purpose. He shall superintend the labor and conduct of the prisoners; shall act as general agent of the prison in the purchases and sales therefor; shall keep accurate accounts and render the same to the directors at their stated meetings, and, when requested, communicate to them any information in his knowledge respecting the prison; and may, in his own name, as warden, sue on any contract made by him in the business of said prison.

1918, S. 1930
1930, S. 1972
1945

Sec. 457h. Officers. Deputy warden. The directors shall appoint and remove at pleasure a warden, a chaplain and a physician of said prison, each to receive such compensation as is fixed by the directors. Before entering upon the duties of his appointment, the warden shall be sworn and shall execute a bond to the state in the sum of five thousand dollars. Said directors shall also appoint, in writing, on the nomination of the warden, all the subordinate officers of said prison, who shall be citizens of the United States, and who shall be sworn before one of the directors. The warden alone may remove any officer nominated by him. When there is a vacancy in the office of warden, or by reason of disability or absence the warden is prevented from attending to the duties of his office, the deputy warden shall become acting warden and possess all the rights of the warden during such vacancy, disability or absence. The deputy warden on his appointment shall be sworn and shall execute a bond to the state in the amount of five thousand dollars.

1918, S. 6321
1943

Sec. 6173 amended by Sec. 736g. Escape from the state prison. Any person legally confined in the state prison, who shall escape or attempt to escape from said prison or from any subdivision thereof, or from any other institution to which he has been transferred from said prison, or from the custody of any person in whose charge he has been placed by the warden of said prison, shall be imprisoned in said prison not more than ten years, and the sentence shall take effect at the expiration of the term of imprisonment in said prison under all sentences against the offender imposing imprisonment therein in force and unexecuted at the time of such sentence.

1918, S. 1935

Sec. 1980. Contracts for labor; public institutions. No contract or agreement shall be made for the labor or services of inmates of any penal or other state or county institution in the manufacture of goods or any portion of such manufacture, or for the product of such labor or services, except after public notice, by ad-

vertising in at least three daily papers having a circulation in different sections of the state, calling for sealed proposals or bids for such labor, or the product thereof, and such proposal or bid, received in accordance with such notice, as is by its terms most advantageous to the state or county maintaining such institution, shall be accepted by the authorities in charge of the disposal of such labor, or the product thereof, and such contract or agreement shall be made in accordance with the terms of such notice and such proposal or bid. No such contract or agreement shall be made for any period exceeding four years. The provisions of this section shall not apply to contracts for the labor of inmates of county institutions in farm, domestic or casual service.

Sec. 1982. Transfer of prisoners to the Connecticut Reformatory. Any prisoner under the age of thirty years, who has less than ten years of his minimum sentence remaining to be served and who, in the opinion of the board of directors of the prison, would be benefited by the training provided at the Connecticut Reformatory, may be transferred, pursuant to a vote of said board, to said reformatory, there to serve the remainder of his prison sentence. The commutation of the sentence of such prisoner or the parole of such prisoner shall be subject to the provisions of the statutes applicable to prisoners at the State Prison; but said provisions shall be enforced and applied by the superintendent and board of parole of said reformatory. If such transferred prisoner shall be found by the directors of said reformatory not to be amendable to reformatory methods, he may be returned by them to the State Prison, there to serve the remainder of his sentence. 1929, C. 118

Sec. 1983. Compensation of prisoner. Any person imprisoned in the State Prison who, by reason of good conduct and upon the recommendation of the warden, shall be deemed worthy by a majority of the directors, shall receive, as compensation for services performed by him, a sum not exceeding fifteen cents per diem during the term of his imprisonment. Such sum shall be deposited in some savings bank, state bank or trust company in this state, under the direction of the board of directors and the warden, and, with the interest thereon, shall be paid by the warden to such convict upon his discharge from said prison; provided the warden may, during the term of such imprisonment, pay to such person or to his wife, parent or parents or children, with the advice and consent of the directors, such portion of such compensation as may, in his opinion, be necessary for the welfare of such convict, his wife, parent or parents or children. 1918, S. 1950 1923, C. 151

Sec. 406g. Production by inmates of the State Prison of materials and supplies for the United States government. Any inmate of the State Prison who is engaged, during the present emergency, in the production of supplies and materials for the United States government shall, upon the recommendation of the warden, receive, in addition to the sum provided for in section 1983 of the general statutes, not more than fifteen cents per diem, to be paid from the receipts from the contracts for such supplies and materials with the United States government and to be deposited or paid out in accordance with the provisions of said section 1983. 1943

Sec. 458h. Allowance for labor. Each prisoner held in the State Prison and serving a sentence as a part of which a fine also was imposed shall, at the expiration of his term of imprisonment, serve an additional sentence of one day for each three dollars of such fine, unless such fine has theretofore been paid in full or unless the board of parole, before or during the service of such im- 1918, S. 1949 1930, S. 1984 1933, S. 784c 1945

prisonment for non-payment of such fine, determines that such prisoner is entitled to parole without condition or upon the condition that such fine, or any unpaid balance thereof, shall be paid within such time as said board may fix.

1918, S. 1948

Sec. 1985. Discharge of prisoner held for costs. Each prisoner, detained only for the payment of costs, shall be allowed for his labor the wages paid journeymen for like labor, but, if, in the opinion of the directors, he shall be unable to pay such costs and shall have conducted himself well during his confinement, the warden may remit the amount of such costs and discharge him.

1918, S. 1939, 1940, 1941 1930 1931, S. 785c 1943

Sec. 1992 as amended by Sec. 407g. The transfer of mentally ill persons from the State Prison to a State Hospital for the mentally ill. The warden of the State Prison shall apply to the governor for an order directing the examination by two competent physicians to be named by the governor of any prisoner whom the warden shall have cause to believe to be mentally ill. If such prisoner shall be found by such physicians to be mentally ill, the governor may order such prisoner transferred to a state hospital for the mentally ill, to be safely cared for and kept in such hospital until the expiration of his sentence, unless, prior to such expiration, he shall have recovered his sanity, in which event he shall be returned to said prison. If the governor is of the opinion that any prisoner so found to be mentally ill is a desperate or dangerous individual and that his transfer to or continued confinement in a hospital for the mentally ill would not be in the interests of the safety of the public, he may order such prisoner detained within or return to the State Prison and there confined under appropriate psychiatric care and supervision.

1918, S. 1945

Sec. 1993. Proceedings upon discharge of mentally ill convict. Whenever any mentally ill or idiotic person shall be confined in the State Prison, the warden shall immediately report the name and residence of such prisoner, if known, to the agent of the Connecticut Prison Association, together with the date when such prisoner will be discharged from custody. The agent of said association shall receive from the warden any mentally ill or idiotic prisoner when discharged and, if such prisoner shall be a legal charge on any town in this state, he shall be placed in the custody of the selectmen of such town. If such prisoner be not legally chargeable to any town in this state, and, if it can be definitely and satisfactorily ascertained that he is a legal resident of any other state, the agent of said prison association is authorized and directed to return him to the authorities who are legally chargeable with his care. If it cannot be definitely or satisfactorily ascertained where such discharged prisoner has a legal residence or what authorities are legally chargeable with his care, the comptroller shall, on the requisition of the secretary of said association, indorsed by the warden of the State Prison, provide for him immediately upon his release from the State Prison, such care as his condition may demand. In lieu of all other sums, there shall be paid to said prison association seven hundred and fifty dollars quarterly.

1943

Sec. 408g. Hospitalization of mentally ill after expiration of term. When any prisoner serving a term in the State Prison is mentally ill at the expiration of his sentence, whether he is confined in a state hospital for the mentally ill or in the State Prison, under the terms of section 407g, the warden shall certify such fact to the governor who may issue an order for the removal of such prisoner to a hospital for the mentally ill and for the detention of such prisoner in such hospital until he has recovered his

sanity; and the governor shall cause such order to be transmitted to the superintendent of such hospital. The expense of such detention, support and treatment shall be paid out of the estate of such prisoner if he has any estate; if he has no estate, it shall be paid by the state. When such prisoner has fully regained his sanity, the superintendent of such hospital for the mentally ill shall, after having notified the governor, dismiss such prisoner therefrom.

Sec. 1994. Transfer. Certain statutes applicable. After the completion of the State Prison for Women at the Connecticut State Farm for Women, any woman who, but for the establishment of said State Prison for Women, would have been sentenced to a term of imprisonment in the State Prison, shall be sentenced for a like term in said State Prison for Women and any woman who shall have been or shall be transferred thereto as provided by statute shall there serve the remainder of the term for which she was sentenced to the State Prison. All women imprisoned at said State Prison for Women shall be subject to the provisions of the statutes applicable to prisoners at the State Prison and shall be under the supervision and control of the directors of the State Farm for Women. 1929, C. 267

Sec. 1995. Mentally ill convict; transfer to hospital for mental illness. Whenever, in the opinion of the physician and of the consulting physician of the State Prison, certified in writing to the superintendent of the State Prison for Women, any female convict shall have become mentally ill, said superintendent shall report the fact to the governor, and thereupon the governor shall issue an order to said superintendent or to any proper officers to take such person, together with a certified copy of the record of her commitment to prison, and deliver her and such record to the superintendent of one of the state hospitals for mental illness, there to be safely kept until the expiration of the term for which she was committed to prison or until she shall have recovered her mental health. If, before the expiration of the term for which she was committed to prison, she shall, in the opinion of the superintendent of said hospital, certified in writing to the governor, have recovered her mental health, the governor shall issue an order to the superintendent of said State Prison for Women or any proper officer to take her from such hospital and deliver her to the proper authorities of said prison. 1918, S. 1942

Sec. 1996. Detention after expiration of sentence. When any convict shall have been transferred, by order of the governor, from the State Prison for Women to such hospital for mental illness and shall be confined in such hospital at the time of the expiration of the term of imprisonment for which she was committed to said prison and shall still be mentally ill, the superintendent of such hospital shall certify such fact to the governor, who may issue an order for her further detention in such hospital until she shall have recovered her mental health; and the governor shall cause such order to be transmitted to such superintendent. The expense of such detention, support and treatment shall be paid out of the estate of such person, if she have any estate; if she have no estate, it shall be paid by the town to which she belongs, and, if she shall belong to no town in this state, such expense shall be paid by the state. When such person shall have fully regained her mental health, the superintendent of such hospital shall dismiss her therefrom. 1918, S. 1943, 1944

Sec. 2051. Inmates of institution excepted. Inmates of any institution, supported in and by any political subdivision of the state, in which the merit system is adopted and a civil service 1918, S. 2035

board appointed, may be assigned, by the lawful authorities thereof, without test or registration, to such minor duties, in such institution, as they are fitted to perform, but without pay or compensation other than privileges or liberties of the institution, except by special permission of the civil service board.

918, S. 6652
See Sec. 701 939

Sec. 6499 as amended by Sec. 1468e. Burial. The warden or his deputy shall cause the body of any executed criminal to be decently and quietly buried in any place in the United States that may be designated by the relatives or friends of the executed person, provided a request for such burial shall have been made to the warden or deputy on or before the day of execution. The amount of the expenses of the funeral and burial to be paid by the state shall not exceed fifty dollars, which shall be paid out of any funds on hand appropriated for the maintenance and support of the State Prison. If the expenses of the funeral and burial at the place designated by such relatives or friends shall exceed fifty dollars, such relatives or friends shall pay to the warden the amount required in excess of said sum before the warden shall cause the body of such criminal to be removed and buried at the place designated. In case the body shall not be claimed by any relatives or friends on or before the day of execution, then the warden or deputy shall dispose of it as provided by law for the unclaimed bodies of criminals who die in the State Prison. The warden shall indorse upon the death warrant a record of his execution thereof and shall return such warrant to the clerk of the superior court of the county where the trial and conviction was had. This act shall take effect from its passage.

918, S. 6662
930
931
935, S. 730c

Sec. 6509 as amended by Sec. 1470e. Parole. Any person sentenced to the State Prison, after having been in confinement under such sentence for not less than the minimum term, or, if sentenced for life, after having been in confinement under such sentence for not less than twenty-five years, less such time, not exceeding a total of five years, as may have been earned under the provisions of section 783c of said supplement, may be allowed to go at large on parole in the discretion of a majority of the board of directors of said prison and the warden thereof acting as a board of parole, if in their judgment such prisoner will lead an orderly life if set at liberty. When any prisoner shall be so paroled, the board of parole shall, within one week thereafter, cause notice thereof to be sent to the state's attorney of the county wherein such prisoner was sentenced, with the terms of such parole. If, in the opinion of the state's attorney any prisoner so paroled shall need supervision, the state's attorney shall notify the warden, and the warden or the parole agent shall at once take charge of the matter. Within one week after the close of each criminal term of the superior court, the state's attorney of each county and the state's attorney at Waterbury shall send to the board of parole the record, if any, of each person sentenced to the State Prison.

918, S. 6663

Sec. 6510. Rules and regulations concerning parole. Authority is conferred upon said board of parole to establish such rules and regulations as it may deem necessary, upon which such con-

Sec. 6509 (1470e). A prisoner in state's prison having served his minimum sentence is eligible to parole. 126 C. 220.

Secs. 6509, 10, 11, 12, 13, 129 C. 166. Sec. 1471e. Sec. 6541. 129 C. 166. For the purpose of determining the amount diminution of a sentence to which a prisoner is entitled and its forfeiture, the period of imprisonment imposed upon him under the several counts are properly determined by regarding them as one continuous term 29 C. 164-168.

vict may go upon parole, and to enforce such rules and regulations and to retake and reimprison any convict upon parole, for any reason that shall seem sufficient to said board.

Sec. 6511. Rearrest. The request of said board of parole, or of any person authorized by the rules of said board, shall be sufficient warrant to authorize any officer of said prison, or any officer authorized by law to serve criminal process within this state, to return any convict on parole into actual custody; and police officers, constables and sheriffs shall arrest and hold any paroled convict when so requested, without any written warrant, and, for the performance of such duty, the officer performing the same, except officers of said prison, shall be paid by the board of directors of said prison, out of the prison funds, such reasonable compensation as is provided by law for similar services in other cases. 1918, S. 6664

Sec. 6512 as amended by Sec. 1471e. Parole from the state prison. (a) Any paroled convict who has been or shall be returned to said prison for violation of his parole may be retained in said prison for a period equal to the unexpired portion of the term of his sentence at the date of the request or order for his return less any commutation or diminution of his sentence earned except as the warden and board of directors may, in their discretion, determine that he shall forfeit any or all of such earned time, or may be again paroled by said board of parole. (b) Each prisoner or paroled convict, subject to the provisions of section 783c, shall be subject to loss of all or any portion of time earned if he shall commit any serious act of insubordination or persistent refusal to conform to prison or parole regulations either at any time during his confinement or at any time during the full term of his parole. 1918, S. 6665 1930, S. 6512 1937, S. 869d

Sec. 6513. Discharge of paroled prisoner. If it shall appear to said board of parole that any convict on parole will continue to lead an orderly life, said board, by a unanimous vote of all the members present at any regular meeting thereof, may declare such convict discharged from said prison, and shall thereupon deliver to him a written certificate to that effect under the seal of the board of parole and signed by its secretary and by the warden. 1918, S. 6666

Sec. 6514. Employment of paroled or discharged prisoner. The Connecticut Prison Association and said board of parole shall make all reasonable efforts to secure employment for any convict paroled or discharged. 1918, S. 6667

Sec. 901f. Interstate compacts for parolee supervision. A. Compact. The governor is authorized and directed to execute a compact on behalf of the state of Connecticut with any of the United States legally joining therein in the form substantially as follows: A compact entered into by and among the contracting states, signatories hereto, with the consent of the congress of the United States of America, granted by an act entitled "An act granting the consent of Congress to any two or more states to enter into agreements or compacts for cooperative effort and mutual assistance in the prevention of crime and for other purposes." The contracting states solemnly agree: (1) That it shall be competent for the duly constituted judicial and administrative authorities of a state party to this compact (herein called "sending state"), to permit any person convicted of an offense within such state and placed on probation or released on parole to reside in any other state party to this compact (herein called "receiving state"), while on probation or parole, if (a) such person is in fact a resident of, or has his family residing within, and is able to obtain employment 1941

within, the receiving state; (b) though such person is not a resident of the receiving state and has no family residing therein, the receiving state consents to allow him to reside therein; provided, before such permission shall be granted, opportunity shall be granted to the receiving state to investigate the home and prospective employment of such person; a resident of the receiving state within the meaning of this section, being construed to be one who has been an actual inhabitant of such state continuously for more than one year prior to his coming to the sending state and who has not resided within the sending state more than six continuous months immediately preceding the commission of the offense for which he has been convicted; (2) that each receiving state shall assume the duties of visitation of and supervisions over probationers or parolees of any sending state and in the exercise of such duties will be governed by the same standards that prevail for its own probationers and parolees; (3) that duly accredited officers of a sending state may, at all times, enter a receiving state and there apprehend and retake any person on probation or parole, and for that purpose no formalities shall be required other than establishing the authority of the officer and the identity of the person to be retaken; all legal requirements to obtain extradition of fugitives from justice are being expressly waived on the part of the states party hereto, as to such persons and the decision of the sending state to retake a person on probation or parole to be conclusive upon and not reviewable within the receiving state; provided, if, at the time when a state shall seek to retake a probationer or parolee, there shall be pending against him within the receiving state any criminal charge, or he shall be suspected of having committed within such state a criminal offense, he shall not be retaken without the consent of the receiving state until discharged from prosecution or from imprisonment for such offense; (4) that the duly accredited officers of the sending state shall be permitted to transport prisoners being retaken through any and all states parties to this compact, without interference; (5) that the governor of each contracting state may designate an officer who, acting jointly with like officers of other contracting states, if and when appointed, shall promulgate such rules and regulations as may be deemed necessary to more effectively carry out the terms of this compact; (6) that this compact shall become operative immediately upon its execution by any state as between it and any other state or states so executing and, when executed, it shall have the full force and effect of law within such state, the form of execution to be in accordance with the laws of the executing state: (7) that this compact shall continue in force and remain duties and obligations hereunder of a renouncing state shall continue as to parolees or probationers residing therein at the time of withdrawal until they shall be retaken or finally discharged by the sending state and that renunciation of this compact shall be by the same authority which executed it, by the sending of six months notice in writing of its intention to withdraw from the compact to each other state party hereto. **B. Separability.** If any section, sentence, subdivision or clause of this section is for any reason held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portions of this section. **C. Title.** This section may be cited as the Uniform Act for Out-of-State Parolee Supervision.

Probation Officers

Sec. 6515 as amended by Sec. 743g. Probation officers; appointment. The judges of the superior court and the judges of the court of common pleas may, for their respective courts, and the judge of each municipal court shall, appoint one or more probation officers, male or female, to act under the direction of such court and remove them at pleasure. 1918, S. 6668 1941, S. 898f 1943

See Sec. 6520

Sec. 6516. Probation officers; their powers and duties; interference with. The duties of such probation officers shall be: (1) To investigate the case of any person brought or about to be brought before the court, under whose direction he is a probation officer, for any misdemeanor or any delinquency rendering such person liable to be committed to any humane or reformatory institution, or any crime not punishable by imprisonment in the State Prison, the object of such investigation being to ascertain the history and previous conduct of the person so arrested and such other facts as may show whether he or she may properly be released on probation; and, after an arrest, such probation officer shall, whenever possible, have opportunity to confer with the accused before his arraignment in court; (2) to report to the court the facts so ascertained; (3) to preserve a complete record of each such case investigated, including descriptions sufficient for identification, with the findings of the court, its action in the case and the subsequent history of the probationer, in such form as may be prescribed under the provisions of the probation law, which records shall be a part of the records of said court and shall at all times be open to the inspection of all officers of the court, the chief of police of any city or town or the sheriff or deputy sheriff of any county; (4) to make such other reports as the court may direct or as may be by law required; (5) to take charge of all persons so placed on probation under such regulations and for such time as may be prescribed by the court, giving to each probationer full instructions as to the terms of his release upon probation and requiring from him such periodical reports as shall keep the officer informed as to his conduct. Probation officers shall not be active members of any regular police force, or sheriffs or deputy sheriffs, but shall, in the execution of their official duties, have all the powers of police officers. 1918, S. 6669, 6672

Sec. 6518 as amended by Sec. 1463e. Commitments to probation officers. Costs. In cases within its jurisdiction, except in cases after commitment to the State Prison or to the Connecticut Reformatory, and except in cases of conviction of the operation of a motor vehicle while under the influence of intoxicating liquor when the accused shall have been convicted of a like offense by a court of this state within a period of six years immediately preceding, or of conviction of a felony if the accused has been twice previously convicted of a felony, any criminal court or the judge holding such court may, during or after the adjournment of the session at which such commitment was issued, after hearing, continue the case or suspend the execution of the sentence and commit the accused to the custody of a probation officer, or to the custody of a probation officer protempore to be appointed by such judge, for such time not exceeding two years as the court may fix, or, when the mitigating circumstances clearly justify such action, suspend the execution of the sentence indefinitely without 1918, S. 6671 1919, C. 71 1921, C. 94, 175 1929, C. 285 S. 2 1930, S. 6518 1931, 1935, S. 1725c 1939

Sec. 6518. What action by court permitted; law valid; sentence does not run while accused at large on parole. 88 C. 500. Does not apply to justices of the peace. 102 C. 28. See 111 C. 281.

Sec. 6518. See note to Sec. 6487. Cited. 115 C. 597.

committing the accused to the custody of a probation officer, and thereupon the court or judge shall cause the reasons upon which such action is based to be made a part of the record of such case. The court may order any person, placed on probation, to pay any part or all of the taxable costs of the prosecution. Failure to comply with any provision of such order may be considered a violation of the terms of such probation. When an accused shall have been committed to the custody of a probation officer for a longer period than one year, the probation officer shall, as soon as convenient after the expiration of one year's probation, call the matter to the attention of the committing court or judge with a recommendation as to the advisability of the continuance of probation. Such court or judge may, at any time either before or after such presentation, after hearing and for good cause shown, terminate any such probationary commitment and the reason for any such action shall be made a part of the record in such case.

918, S. 6672

Sec. 6519. Rearrest after probation. Suspension of sentence revoked. Each person placed on probation shall, during the term fixed for such probation, observe all rules prescribed for his conduct by the court, report to the probation officer as directed and maintain a correct life. In case of failure to meet any of these requirements and at any time prior to the final disposition of the case of any person placed on probation in the custody of a probation officer, such officer may arrest him without a warrant or other process and bring him before the court or any judge thereof, or such court or judge may issue a warrant directing that he be arrested and brought before the authority issuing such warrant. The court or judge before whom such person shall be brought may revoke the suspension of the execution of his sentence, whereupon his sentence shall be in full force and effect, or such court or judge may continue the suspension.

918, S. 6673

Sec. 6520. Probation officers; pro tempore appointment. In case of the absence of the probation officer, any court may appoint a probation officer pro tempore, who shall have all the powers and perform all the duties of the probation officer and shall receive as compensation for each day's service a sum equal to the rate per day of the salary of the probation officer, to be paid in the manner provided in section 2266. Any justice of the peace before whom shall be brought a person who, in his judgment, ought to be released on probation, may appoint a probation officer pro tempore for the care of the accused, who shall serve without compensation.

918, S. 6674

Sec. 6521. Probation service; supervision of. The probation service of the state shall be under the general supervision of the Connecticut Prison Association, whose officers shall prepare such blanks for reports and such books for record, including a description of each probationer sufficient for identification, as may be required for the efficiency of this service, and such books and blanks shall be provided by the comptroller and furnished to all probation officers at the expense of the state. The clerk of every court by which a probation officer shall be appointed shall forthwith notify said prison association of the name of the officer so appointed. Each probation officer shall make a quarterly report to said prison association in such form as said prison association shall direct. Said prison association shall annually make a report to the governor on the operation of the probation system and its results, with recommendations for the improvement of the service. The comptroller is authorized to pay, on the requistion of the secretary of the Connecticut Prison Association, a sum not exceeding sixty dollars per month for clerical services to carry out the provisions of the probation law.

Sec. 1448e. Prison labor. (a) No person, firm or corporation shall possess, use, distribute, exchange, sell or offer for sale in this state any goods, wares or merchandise manufactured, produced or mined wholly or in part by convicts or prisoners of this or any other state, except convicts or prisoners on parole or probation; provided nothing in this section shall be construed to forbid the sale of such goods to the state or any political subdivision thereof, or to any public institution owned and managed or controlled by the state or by any political subdivision thereof, when such goods are to be used or possessed solely by the state, such political subdivision thereof or such institution, or to any person, firm or corporation which may purchase such goods for its use or consumption but not for resale, when such purchase shall have been approved by the commissioner of finance and control (b) The provisions of this section shall not apply to county jails manufacturing such goods, wares and merchandise until June 30, 1939. (c) Any person who shall violate any provision of this section shall be fined not more than one thousand dollars or imprisoned not more than ninety days or be both fined and imprisoned. 1937, S. 858d

Sec. 2266 as amended by Sec. 478g. Probation officers. Probation officers appointed by the judges of municipal courts shall be reimbursed for all necessary expenses incurred in the prosecution of their duties, and shall receive compensation for actual services in cities of fifty thousand inhabitants or over at such rate, not exceeding ten dollars per day, and in all other cities and towns of the state at such rate, not exceeding six dollars per day, as may be fixed by the court appointing such officers; such compensation and expenses to be paid in the same manner as those of other officers of said courts. 1918, S. 2237 1919, C. 14, S. 1 1921, C. 336, S. 24 1923, C. 79 1943

Veterans

Sec. 486. Graves of soldiers and sailors. In each city and town there shall be appointed annually, by the mayor of the city or by the selectmen of the town, preferably a veteran of the civil war, the war with Spain or the world war, whose duty it shall be to see that the grave of any person who served in time of war in the military or naval forces of the English colonies in America, prior to 1776, or of the State of Connecticut or the United States, shall be suitably kept and cared for. If the cost of such care and maintenance shall not be paid by private persons, or by the trustees of the cemetery where any such grave is situated, it shall be paid by the city or town; and cities and towns are authorized to appropriate money for such purpose. Money so appropriated may be expended directly by the city or town or may be paid to the trustees or manager of the cemetery in which any such grave is located; but the sum paid in any year shall not exceed for any such grave the sum usually charged for the annual care and maintenance of a grave in the same cemetery, or, if no such charge shall be made in that cemetery, then it shall not exceed the sum charged in other cemeteries in the same city or town for such services. 1923, C. 113

Sec. 785. Pensions. Each officer, soldier or sailor wounded or disabled, and the widow and each child of each officer, soldier or sailor, killed while in the active service of the state, or the mother of such soldier, sailor or officer who is dependent upon him for support, when such disability or death shall be in- 1923, C. 222, S. 39 1925, C. 248, S. 9

cident to the service, shall be suitably provided for by the general assembly. The commanding officer of any officer, soldier or sailor so injured shall immediately make or cause to be made, by one or more officers detailed for the purpose, full inquiry and report concerning such injury, in writing, through channels to the adjutant general, with the names and addresses of qualified witnesses and a substantial statement of the testimony of each concerning the nature and extent of the injury and the manner of its occurrence. Each member of the national guard or naval militia who shall, when on duty or assembled therefor, in case of riot, tumult, breach of peace, insurrection or invasion, or, whenever ordered by the governor, the commanding general of the national guard or the commanding officer of the naval militia, or when called in aid of any civil authority, receive any injury or incur or contract any disability or disease by reason of such duty, or assembly therefor, or who shall, without fault or neglect on his part, be wounded or disabled by reason of the performance of any lawfully ordered duty and thereby temporarily incapacitated from pursuing his usual duties or occupation, shall, during the period of his incapacity, receive such compensation as may be determined, and actual necessary expenses for care and medical attendance. The adjutant general may cause examination of each claimant under the provisions of this section to be made from time to time by a medical officer or officers designated for the purpose by the adjutant general, and he may direct the removal of any claimant to and his treatment in a hospital designated by the adjutant general and, if the claimant shall refuse to permit any such examination or if he shall refuse to go to such hospital or to follow the direction of the adjutant general of the treatment so prescribed for him, he shall forfeit all right to any claim or allowance under this section. Under the provisions of this chapter, no disability shall be considered temporary which shall continue for more than ninety days from the date of receiving the injury or of incurring or contracting the disease or disability, and pay and expenses for care and medical attention for more than such ninety days shall not be allowed. The adjutant general may appoint a medical examiner or a board of three officers, at least one of whom shall be a medical officer, to inquire into the merits of any claim, who shall fix the amount to be allowed under this section. A medical examiner or board, appointed under this section, shall have the same power to take evidence, administer oaths, issue subpoenas and compel witnesses to attend and testify and produce books and papers and to punish for failure to do so as possessed by a general courtmartial. The findings of the medical examiner or board shall be subject to the approval of the adjutant general, who may return the proceedings of the medical examiner or board for revision and for further testimony. The amount found due any member by such medical examiner or board and approved by the adjutant general shall be paid by the comptroller upon the order of the adjutant general. The adjutant general may disapprove the report of any medical examiner or board appointed under the provisions of this section and may thereupon determine the amount of any such claim. He may, upon the application of any claimant made within six months after the service of notice upon such claimant or his attorney of the disapproval or disallowance of his claim or any part thereof, reopen such claim and order a rehearing before another medical examiner or board. Any person making any claim under the provisions of this section may appeal to the adjutant general from the decision or finding of any medical examiner or board within six months after notice of such decision or finding of any medical examiner or board within six

months after notice of such decision or finding shall have been served on him or his attorney, and the adjutant general shall hear and determine such appeal on its merits and may take testimony in the same manner as upon an original application and may approve, disapprove or modify the findings and decisions of any medical examiner or board.

1923, C. 222, S. 59 1937 1941

Sec. 805 as amended by Sec. 231e as amended by Sec. 121f. Separation allowances for dependents of soldiers, sailors and marines. The veterans' home commission is authorized to administer the separation allowances provided for by this chapter and enforce the provisions relating thereto. Said commission shall determine the amount of such separation allowances to be paid and shall certify to the comptroller the amounts to be paid monthly. The comptroller shall draw his orders on the treasurer in payment thereof. Said commission may apply the provisions of sections 803 to 808, inclusive, to any person who shall enter the military or naval service of the United States through the provisions of any system of selective draft adopted by the federal government.

1923, C. 222, S. 60 1937, S. 232e

Sec. 805 as amended by Sec. 232e. Amount of separation allowances. Separation allowances for such dependents shall be paid on a basis of not more than twenty dollars per month to the wife of such soldier, sailor or marine and not more than six dollars per month for each minor child, under sixteen years, of such soldier, sailor or marine, provided, if such soldier, sailor or marine of the state of Connecticut shall have neither a wife nor a child, but shall have actually and solely dependent upon him for support a father or brother who is unable to support himself by his own labors, or a mother or sister so solely and actually dependent, or if such soldier, sailor or marine shall have such father, brother, mother or sister actually and solely dependent upon him in addition to a wife or child or children or both, it shall be within the discretion of the veterans' home commission to pay a separation allowance or separation allowances to such additional dependents, or to such wife or children, or to both, provided no separation allowance paid to all dependents of one soldier, sailor or marine under the terms of this chapter shall amount in the aggregate to more than fifty dollars per month, and provided no person shall receive a separation allowance as a dependent of more than one soldier, sailor or marine.

1923, C. 222, S. 61 1937, S. 233e

Sec. 807 as amended by Sec. 233e. List of dependents to be filed. Whenever a man shall enlist in the military or naval service of the state, either in the national guard or other troops, he shall certify to the enlistment officer the name, sex and age of each person who, in the event of his being called upon to do active military or naval service, will be dependent upon him within the meaning of this chapter. Such information shall be filed with the commander of the unit to which such soldier, sailor or marine shall be assigned and with the adjutant general of the state, to be made a part of the state military records. When any member of the national guard or other troops of the state shall become responsible for the care of more dependents than shall have been previously certified to by him, he shall give notice to the commander of the unit of the state forces to which he shall be attached, and such commander shall inform the adjutant general and also certify to the same in his own company records. All records of persons entitled to receive separation allowances under this chapter shall be based upon such information filed by Connecticut soldiers, sailors or marines with their

organization commanders and with the adjutant general as herein described unless the veterans' home commission shall find such information to be incorrect, and separation allowances shall be paid to other persons only if in the opinion of said commission injustice will be done the bona fide dependents of Connecticut soldiers, sailors or marines if they shall not be so paid.

1923, C. 222, S. 62

Sec. 808. Allowances when not to be paid. So much of this chapter as relates to separation allowances shall be inoperative whenever the United States shall pay to dependents of Connecticut soldiers, sailors or marines such separation allowances as are herein described and whenever such allowances by the United States shall be equal to or larger in amount than the allowances provided for under this chapter. Whenever the United States shall pay to dependents of Connecticut soldiers, sailors, or marines such allowances and the amount shall be less than the amount provided for in this chapter, the state of Connecticut, under this chapter, shall pay only to such dependents an amount equal to the difference between the amount of the allowance paid by the United States and the amount which would be paid under the terms of this chapter if no allowances were paid by the United States.

1923, C. 222, S. 62
1937, S. 234e

Sec. 809 as amended by Sec. 234e. Board may borrow money to pay allowances. Whenever the provisions of this chapter relating to separation allowances shall become operative through the calling of the national guard or other forces into active service, the veterans' home commission shall pay such allowances as are to be paid, out of any funds which the state may have available for such purposes and, if no funds shall be available, the state treasurer shall be authorized to borrow, in the name of the state, on notes, such funds as shall be necessary to administer such provisions. In either case said commission shall certify to the general assembly at its next regular session the amount expended, or, if such provisions shall at that time be operative, shall certify to the amount expended under them up to and including the first Wednesday of December preceding the convening of the general assembly, and in either case the general assembly shall appropriate sufficient funds to cover such expenditures; and, in the event of the existence of circumstances making such provisions still operative, the general assembly shall take the necessary steps to provide for the requisite expense.

1929, C. 225
1931, S. 859
1933, S. 210c
1937, S. 252e
1943, S. 211g
1945

Sec. 210h. Children of veterans of the first or second world war. Any child between the ages of sixteen and twenty-three, inclusive, of any person who served in the armed forces of the United States in the first or second world war and who was killed in action or who died as a result of such service, if such person was a resident of this state at the time of his induction or if such child has continuously resided in this state for at least twelve months, shall receive, upon application therefor to the state board of education, state aid for tuition, matriculation fees, board, room rent, books and supplies for such child attending any of the following-named institutions approved by said board: An educational or training institution of college grade or any other institution of higher learning or commercial training, a teachers college, a vocational school or any accredited military preparatory school if such beneficiary is preparing to enter the United States Military Academy at West Point, the United States Naval Academy at Annapolis or a United States coast guard academy. Such grant may be used for the matriculation fees of any such beneficiary at any of said United States government academies.

Sec. 211h. Amount of Aid. The amount of such aid shall not exceed two hundred dollars per year for each beneficiary and shall be paid to such institution on vouchers approved by the state board of education; provided the state shall pay for the board and room of any such beneficiary residing outside of any such institution on vouchers approved by the institution. 1945

Sec. 1166 as amended by Sec. 329e as amended by Sec. 160f. Assessors to determine exemptions. The board of assessors of each town, consolidated town and city or consolidated town and borough shall inspect the statements filed with it and required by sections 1163 and 1164 from scientific, educational, literary, historical, charitable, agricultural and cemetery organizations, shall determine what part, if any, of the property claimed to be exempt by the organization shall be in fact exempt, and shall place a valuation upon all such property, if any, as shall be found to be taxable. Any organization filing a tax exempt statement, aggrieved at the action of the board of assessors, may appeal, within the time prescribed by law for such appeals, to the board of relief. Any such organization claiming to be aggrieved by the action of the board of relief may, within two months from the time of such action, make application in the nature of an appeal therefrom to the court of common pleas of the county in which such town, city or borough is situated. No individual entitled to exemption under two or more of subdivisions (17) to (23), inclusive, of section 1163, of sections 370c and 371c and of section 328e shall receive more than one exemption. 1927, C. 319, S. 3,6 1937, S. 329e 1941, S. 160f

Sec. 1168 as amended by Sec. 272h. Exemption of soldiers; proof of claim. Any person who shall claim an exemption from taxation under the provisions of sections 1163, 370c, 371c and 328e, by reason of service in the army, navy, marine corps or coast guard of the United States, shall give notice to the town clerk of the town in which he shall reside that he is entitled to such exemption. Any person who shall have performed such service may establish his right to such exemption by exhibiting to the town clerk an honorable discharge, or a certified copy thereof, from such service, or, in the absence of such discharge or copy, by appearing before the assessors for an examination under oath, supported by two affidavits of disinterested persons, showing that the claimant so served and received an honorable discharge, and the assessors shall report to the town clerk all claims so established. Any person claiming exemption by reason of the service of a relative as a soldier, sailor, marine or member of the coast guard may establish his right thereto by at least two affidavits of disinterested persons showing the service of such relative, his honorable discharge and the relationship of the claimant to him; and the assessors may further require such person to be examined by them under oath concerning such facts. The town clerk shall record each honorable discharge or certified copy thereof and each affidavit presented, and shall list the names of such claimants. If any person entitled to such exemption shall change his legal residence, he may establish his right to such exemption in the town to which he shall have removed by filing with the town clerk thereof a certified copy of the proof of exemption in the town from which he removed. No board of assessors or board of relief or other official shall allow any such claim for exemption unless evidence as herein specified shall have been field in the office of the town clerk, provided, if any claim for exemption shall have been allowed by any board of assessors or board of relief prior to July 1 1923, the provisions of this section shall not apply to such claim. Each claim granted prior to July 1, 1923, C. 179, S. 1, 2 1937, S. 330e 1945

1923, shall be recorded with those presented subsequent thereto, and a list of such names, alphabetically arranged, shall be furnished the assessors by the town clerk.

1931
S. 369c
1933
1937, S. 328e
1939
1941, S. 159f
1943

Sec. 328e as amended by Sec. 258g. Service and ex-service men having disability ratings. Subject to the provisions hereinafter stated, property not exceeding three thousand dollars in amount shall be exempt from taxation, which property shall belong to, or shall be held in trust for, any resident of this state who shall have served, or is serving, in the army, navy, marine corps or coast guard of the United States and has a disability rating by the veterans administration of the United States amounting to ten per cent or more of total disability, provided such exemption shall be fifteen hundred dollars in any case in which such rating is between ten per cent and twenty-five per cent; two thousand dollars in any case in which such rating is more than twenty-five per cent but not more than fifty per cent; twenty-five hundred dollars in any case in which such rating is more than fifty per cent but not more than seventy-five per cent; and three thousand dollars in any case in which such person has attained sixty-five years of age or such rating is more than seventy-five per cent, or, if he shall lack such amount of property in his name, so much of the property belonging to, or held in trust for, his wife, who is domiciled with him, as shall be necessary to equal such amount. No individual entitled to exemption under this section and under one or more of subdivisions (17) to (23), inclusive, of section 1163 as amended, shall receive more than one exemption. No individual shall receive any exemption to which he is entitled under this section until he shall have complied with section 1171 as amended, and until he shall, in each year in which such exemption is being sought, have submitted evidence satisfactory to the assessors as to his actual disability rating on the assessment day as of which such exemption is being sought, except that proof of disability of persons who have attained the age of sixty-five years need be filed but once.

1931

Sec. 370c. Exemption of property of members of United States Army. Subject to the provisions of sections 1166 and 1171, property to the amount of one thousand dollars shall be exempt from taxation, which property shall belong to, or shall be held in trust for, any resident or non-resident of this state who shall have been in the regular army of the United States on the assessment day and who shall have been detailed by the secretary of war for duty in this state for the instruction of the Connecticut national guard. Any person receiving the foregoing exemption shall be entitled to an additional exemption of two thousand dollars on tangible personal property belonging to, or held in trust for, him, which property shall be necessary or convenient for the use of such person in the performance of his official duties, and which property shall consist of military equipment, horses, vehicles and furniture.

1945

Sec. 276h. Property tax exemption for members of the U. S. maritime service. Property to the amount of one thousand dollars belonging to any resident of this state who has been enrolled in the United States maritime service for a period of at least ninety days during the second world war shall be exempt from taxation upon satisfactory proof having been given to the tax collector of the town in which such property is located that he is entitled to such exemption. Satisfactory proof shall consist of such person's enrollment papers or a certified copy thereof together with a cer-

tification of ninety days' enrollment from the United States maritime service. Such exemption shall apply to all taxes due or payable after the date of enrollment of the person entitled to exemption, provided such date shall be subsequent to December 8, 1941. Upon receipt of such satisfactory proof, the tax collector shall thereupon follow the procedure provided for in section 261g relating to members of the armed forces, so far as the same are applicable.

Sec. 277h. Waiver of penalty. The penalty for failure to file a list provided for in section 1126 shall not apply to the property standing in the name of any person who has established his right to an exemption in accordance with Section 276h. 1945

Sec. 278h. Refund. Any person who has so established his right to exemption and who has previously paid a property tax on which he is entitled to an exemption by the provisions of Section 276h, shall be entitled to a refund of the same in accordance with the applicable provisions of section 263g. 1945

Sec. 279h. Use of exemption limited. No person already receiving an exemption on property belonging to him by virtue of any other statutory provision shall be entitled to an additional exemption under the provisions of Section 276h. 1945

Sec. 280h. Duration. Sections 276h to 279h, inclusive, shall remain in effect until two years after the cessation of hostilities in the second world war, at which tims all exemptions therein granted shall terminate. 1945

Sec. 300h. Veterans' exemption. (a) Any resident of this state who has filed with the town clerk of the town in which he resides a copy of his honorable discharge from the armed forces after at least ninety days' service in the second world war shall be exempt, as hereinafter provided, from the payment of any unincorporated business tax required by this chapter on the whole or any part of any business actually owned and regularly engaged in by him. Upon satisfactory proof as to compliance with the requirements of this section being furnished to the state tax commissioner accompanying the returns required by said chapter, said commissioner shall determine the amount of the tax so exempt and shall abate the same on such returns covering a period of thirty-six months following the establishment of such business, provided such business shall be a newly established business and the establishment of the same shall occur within two years from the date of such honorable discharge. (b) Any such resident who is qualified to receive the exemption provided for in subsection (a) shall also be entitled to an exemption from the payment of personal property taxes on the stock in trade, fixtures and equipment to the extent of his ownership in the business, provided such property shall be used exclusively in the conduct of such business, and provided he shall file with the tax collector of the town in which such business is located a sworn statement reciting the necessary facts to indicate a full compliance with the requirements of this section. Such exemption shall apply to all such taxes due or payable during a period of three years following the filing of such sworn statement with the collector, who shall mark his rate book accordingly and keep a record of all such exemptions. 1945

Sec. 259g. Exemption of one thousand dollars on property belonging to, or held in trust for, resident members of the armed forces. Definition. When used in this act, the words "armed forces" shall include the army, navy, marine corps, coast guard or 1943

merchant marine of the United States, or any women's auxiliary organized pursuant to an act of congress and affiliated with one of said branches of the service.

1943, S. 260g 1945

Sec. 260g amended by Sec. 273h. Exemption and proof. Property to the amount of one thousand dollars belonging to, or held in trust for, any resident of this state who is serving in the armed forces either within or without the state shall be exempt from taxation upon satisfactory proof having been given to the tax collector of the town in which he resides that he is entitled to such exemption. If such resident lacks said amount of property in his own name, such exemption shall apply to so much of the property belonging to his wife as is necessary to equal said amount; or, in the event of the death of such resident during his term of service or after receiving an honorable discharge therefrom, such exemption shall apply to the property of his widow, during her widowhood. Satisfactory proof shall consist of of the following: (1) a notice in writing to the collector signed by the person claiming exemption and attested to by his commanding officer, evidencing actual service and the date of the claimant's enlistment or induction; or (2) a statement in writing from the local draft board or any other duly constituted state or federal agency which maintains an official list of persons in the armed forces, containing information that such person is actually in such service and the date of his induction or enlistment; or (3) a sworn statement in writing, signed by a member of the claimant's family who resided in his household at the time of his induction or enlistment, attesting to the facts of his actual service and the date of such induction or enlistment; or (4) two sworn statements in writing attesting to the actual service of the claimant and the date of his induction or enlistment, signed by persons having personal knowledge of such facts. Upon receipt of such sworn statements the collector may further require the persons signing the same to be examined under oath concerning such facts, and the collector may take the acknowledgment under oath of all persons signing sworn statements for the purposes of this act and no fee shall be charged for the same; or (5) when any collector knows of his own knowledge of the actual service in the armed forces of any person residing in the town for which he is collector, and the date of induction or enlistment, such personal knowledge shall be considered satisfactory proof that such person is entitled to exemption.

1943

Sec. 261g. Application of exemption. Such exemption shall apply to all taxes due or payable after the date of induction or enlistment of the person entitled to exemption, provided said date shall be subsequent to October 16, 1940. Such proof having been furnished, the tax collector shall promptly record in the proper yearly rate book or books all exemptions to which any such person shall be entitled at the time of submission of proof as determined by the date of his induction or enlistment; and the tax collector shall also keep a permanent list of the names of persons so entitled to exemption, bearing a notation opposite each name, indicating the method of proof and the date of induction or enlistment. A copy of such list, with any additions which may have been duly recorded on the rate books, shall be furnished to the assessors on or before the next succeeding assessment date and such exemptions shall be used by the assessors as their authority for granting exemptions on subsequent assessment lists. If any person shall furnish such proof to the tax collector during such time as the board of assessors shall be in session, the collector shall add his name to such permanent list as herein pro-

vided for, and shall forthwith furnish to the board of assessors a supplemental list bearing the name, the method of proof and the induction or enlistment date of the person who has so established his right to exemption. Such supplemental list shall be used by the assessors as their authority for the granting of exemptions on the current and subsequent assessment lists. Effective May 10, 1943.

Sec. 262g. Waiver of ten per cent penalty. The penalty for failure to file a list provided for in section 1126 of the general statutes shall not apply to the property owned, or held in trust for, any person who has established his right to an exemption in accordance with this act. 1943

Sec. 263g. Refund of taxes. Any person who has so established his right to exemption and who has previously paid a property tax on which he is entitled to an exemption by the provisions of this act shall be entitled to a refund of such part or the whole of such tax, including any money paid as interest or penalty or both, as shall represent the service exemption, upon submitting an application, in writing to the tax collector, containing a statement of the amount of refund claimed and a recital of the facts upon which the claim is based. The amount of such refund shall be determined by such tax collector and certified to the board of selectmen of a town or the corresponding authority of a city or borough or any consolidation thereof, who shall draw an order in favor of such person or of any other person who has paid the tax in his behalf. In the case of a person other than the person entitled to exemption claiming a refund, the written application for such refund shall be sworn to under oath. 1943

Sec. 264g. Validation of previous exemptions granted. Any action taken by any officer or board of any town, city, borough or taxing district, or any consolidation thereof, prior to the passage of this act, wherein such one thousand dollar exemption was granted to a member of the armed forces on a property tax due and payable subsequent to October 16, 1940, is validated. 1943

Sec. 265g. Application of unused portion of exemption. If any person who has established his right to exemption in the town in which he resides shall have property in any other taxing district of this state to which any unused portion of such exemption may apply, he may obtain the benefit of such unused portion of his exemption by annually making oath before, or forwarding his affidavit to, the assessors of such other taxing district, deposing that such exemptions, if allowed, will not, with any other exemptions which may have been granted by reason of his service in the armed forces, exceed the amount of exemption thereby allowed to such person. 1943

Sec. 266g. Failure to furnish proof while in service. Any person who has been unable to receive the exemption herein provided for while in the service of the armed forces and who has received an honorable discharge therefrom may obtain the benefit of such exemption by personally applying to the collector and furnishing him with the necessary facts to establish his right to exemption. Upon the submission of such facts, his claim for exemption shall be treated in the same manner as if satisfactory proof had been established during his term of service, and the provisions concerning exemption and refund shall thereupon be applicable to him during such term of service. 1943

1943 **Sec. 267g. Use of exemption limited.** No person already receiving an exemption on property belonging to or held in trust for him, by reason of his previous service in the armed forces, shall be entitled to an additional exemption under the provisions of this act.

1943 **Sec. 268g. Scope and duration of act.** The provisions of this act are in addition to, and are not intended to repeal, any existing statutes relating to the same subject-matter. This act shall take effect from its passage and shall remain in effect until one year after the cessation of hostilities in the second world war, except that all persons whose names shall appear on the permanent list of those entitled to the one thousand dollars exemption, kept by the tax collector as provided for in this act, shall be considered to have established their rights to all future exemptions as long as they shall remain residents of the town in which their exemptions are recorded.

1945 **Sec. 274h. Exemption of members of armed forces from penalty on delinquent taxes.** No interest or other charges payable on delinquent property taxes as provided by the general statutes shall be charged against any member of the armed forces who has established his right to an exemption in accordance with sections 260g, as amended by section 273h, to 268g, inclusive, on any tax bill which becomes due or payable during his term of service in the second world war.

1945 **Sec. 275h. Refund, where paid.** Any person who has previously paid any interest or other charges on delinquent taxes, from which payment he is exempted by the provision of section 274h, shall be entitled to a refund of such interest or other charges upon submitting an application in writing to the tax collector stating the amount of refund claimed and reciting the facts upon which his claim is based. The amount of such refund shall be determined by such collector and certified to the board of selectmen of a town, or the corresponding authority of a city or borough or any consolidation thereof, who shall draw an order in favor of such person for the amount of the refund as certified.

1933 **Sec. 371c. Exemption of veterans.** Any person who is a citizen of the United States, was in the military or naval service of a government allied or associated with that of the United States during the world war, was a resident of the United States at the time of enlistment or enrolment in such service, was a member of such service for ninety days or more between April 6, 1917, and July 2, 1921, and received an honorable discharge therefrom, and who shall have furnished proof of his military or naval service for such period between said dates by having had his honorable discharge certificate or a certified copy thereof recorded by the town clerk of the town of which he is a resident, shall be exempt from liability to pay the personal tax provided for by section 1245 and shall be entitled to the property exemption provided for in subdivision (19) of section 1163.

1927, C. 319, S. 5
1929, C. 12 **Sec. 1171. Exemption only upon submission of evidence.** No individual shall receive any exemption to which he is entitled by any one of subdivisions (18) to (23), inclusive, of section 1163 until he shall have proved his right to such exemptions in accordance with the provisions of sections 1168 and 1169. Exemptions so proved by residents shall take effect on the next succeeding assessment day, provided, if any such exemptions, shall be so proved on any assessment day, such exemption shall take effect on such day, and if any such exemption shall be so proved during the

remainder of the period allowed by law for the filing of assessment lists, such exemption shall take effect on the assessment day next preceding the date of the proof thereof.

Sec. 400c. Abatement and refund to veterans. Any person who has been unable to receive the exemption provided in subdivisions (18) to (23), inclusive, of section 1163 because of failure to prove such exemption within the time limited by section 1171 may, if he shall have proved his right to exemption in accordance with the provisions of sections 1168 and 1169 within one year after the time so limited by said section 1171, make application to the collector of taxes for abatement in case the tax has not been paid, or for refund in case the whole tax has been paid, for such part or the whole of such tax as shall represent the service exemption. Such application shall be made within three years of the due date of the first instalment of such tax or within three years after the due date of such tax in case instalment payments shall not have been authorized. Such application shall contain a recital of the facts and shall state the amount of abatement or refund requested. The collector shall, after examination of such application, refer the same, with his recommendations thereon, to the board of selectmen if a town or to the corresponding authority in any other municipality, and shall certify to the amount of abatement or refund to which the applicant is entitled. Upon receipt of such application and certification, the selectmen or other duly constituted authority shall, in case the tax has not been paid, issue a certificate of abatement or, in case the whole tax has been paid, draw an order upon the treasurer in favor of such application for the amount without interest which shall represent the service exemption. Any action so taken by such selectmen or other duly constituted authority shall be a matter of record, and the tax collector shall be notified in writing of such action. 1931

Sec. 1207. Refund of tax erroneously collected. The amount of any tax which shall have been collected erroneously from any person who shall have served in the army, navy, marine corps or coast guard of the United States, or from his relative, as specified in section 1163, may be recovered from the municipality to which the same shall have been paid at any time within three years from the date of such payment upon presentation of a claim therefor to the collector of taxes. The collector shall examine such claim, and, upon finding the claimant entitled thereto, shall certify to that effect to the selectmen of such town or other proper official of such municipality. Upon receipt of such certification, the selectmen or other proper official shall draw an order upon the treasurer in favor of such claimant for the amount, without interest, to which such claimant shall be entitled. 1923, C. 179 S. 3

Sec. 1363 as amended by Sec. 402c. Life insurance. The provisions of section 486c shall not apply to the proceeds of any policy of life or accident insurance payable to a named beneficiary or beneficiaries; but the proceeds of any insurance policy, except one issued by the United States upon the life of a soldier, sailor, marine or member of the coast guard and generally known as war risk insurance, of a decedent payable at his death to his estate, the executors of his will or the administration of his estate, shall be taxable within the provisions of this chapter. 1929, C. 299, S. 4 1935, C. 487c

Sec. 1942 as amended by Sec. 442h. Definitions. Terms used in this part shall be construed as follows, unless another meaning is expressed or is clearly apparent from the language or context or unless such construction is inconsistent with the manifest intention of the general assembly. "Veteran" shall mean any resident of this state who is an honorably discharged person, who 1927, C. 264 S. 1 1929, C. 72, S. 1 1935, S. 767c 1937, S. 624c 1943, S. 403g 1945

served in or with the military or naval forces of the United States in time of war, who served in or with the military or naval forces of the United States in any campaign or expedition recognized as such by the war or navy department or who served in or with the forces of any government associated with the United States in either world war I or world war II, provided, when the word "veteran" shall be used with reference to persons who served in world war I, it shall mean any person who served at any time between April 6, 1917, and November 11, 1918, inclusive, and any person who served with the United States military forces in Russia at any time between April 6, 1917, and April 1, 1920, inclusive, and provided, for the purposes of this part, service in the Spanish-American war shall be construed to mean service between April 21, 1898, and July 4, 1902, inclusive, and actual participation in hostilities in the Morro Province to July 15, 1903, and provided, further, when the word "veteran" shall be used with reference to persons who served in world war II, it shall mean any person who served in the active military or naval forces on or after December 7, 1941, and prior to the date of the termination of hostilities as fixed by the United States government, inclusive, and provided any such person who was not a resident or resident alien of this state at the time of enlistment or induction into such service shall have resided continuously in this state for at least two years. "Home" shall mean the home maintained by the state for the care of veterans. "Hospital" shall mean any incorporated hospital or tuberculosis sanatorium in the state.

927, C. 264, § 2, 3, 25
931
935, S. 768c

Sec. 1943 as amended by Sec. 768c. Veterans' Home Commission. The veterans' home commission shall continue to have the government and control of the veterans' home and shall consist of eight commissioners, all of whom shall be citizens of this state and a majority of whom shall be veterans. On or before July 1, 1937, and biennially thereafter, the governor shall appoint two commissioners for a term of eight years and until their successors shall be appointed and shall have qualified, and he may fill any vacancy which may occur, by appointment for the unexpired portion of the term. Each commissioner shall be sworn to a faithful performance of his duties. The governor may, for a reasonable cause, remove from office any commissioner. The commissioners appointed by the governor shall receive no compensation for their services, but shall be paid their reasonable expenses in the performance of their duties. The commission shall biennially report its doings, under oath, to the governor.

933
935, S. 771c
937
939, S. 628e
941, S. 330f

Sec. 771c as amended by Sec. 628e as amended by Sec. 330f. Veterans' relief fund. There shall be a fund known as the "Veterans' Relief Fund" to be administered as and expended as a separate account by the administrators of the soldiers, sailors and marines' fund in co-operation with the veterans' home commission, under such rules and regulations as may be decided upon by said joint body for the purpose of providing temporary financial assistance to veterans eligible for admission to the Veterans' Home. All expenses of such administration shall be paid from the money appropriated for said fund. The governor is authorized to transfer, from time to time, as may be found expedient, funds existing in the soldiers, sailors and marines' fund, the veterans' relief fund and funds of the veterans' home commission from one of said funds to any other of said funds.

935

Sec. 773c. Disclosure of property of applicant. Any person who shall have in his possession or control any property of any person applying for or receiving aid from the soldiers, sailors and

marines' fund or the veterans' home commission, or who shall be indebted to such applicant or recipient or shall have knowledge of any property belonging to him, and any officer who shall have control of the books and accounts of any corporation which has possession or control of any property belonging to any person applying for or receiving such aid or is indebted to him, shall, upon presentation by the disbursing officer thereof or any person deputized by him, of a certificate, signed by him, stating that such applicant or recipient has applied for or is receiving aid from said fund or the veterans' home commission, make full disclosure to said disbursing officer or said deputy, of any such property or indebtedness. Such disclosure may be obtained in like manner of the property or indebtedness of any person liable for the support of any such applicant or recipient.

Sec. 1946. Persons entitled to admission. All male veterans shall be entitled to admission to the home; and all veterans, who, from disease, wounds or accident shall need medical or surgical care and treatment or who shall have become mentally ill and who shall have no adequate means of support, shall be entitled to admission to any hospital and to receive necessary food, clothing, care and treatment therein, at the expense of the state. 1927, C. 264 S. 6

Sec. 1947. Admission. Discharge. Transfer. Any veteran desiring care or treatment under the provisions of this chapter shall make application under oath to the commission; but, if, by reason of his physical condition, he shall be unable to make such application, some other veteran may make such application in his behalf. Said commission shall have sole power to determine whether such veteran is entitled to admission to the home or to a hospital, and such veteran, if admitted, shall, upon application to the commission, receive transportation at the expense of the state from his place of residence to the home or such hospital. No veteran so admitted shall be discharged from the home or hospital except upon the approval of the commission. The commission shall have sole power to remove any veteran, whose care and treatment is paid for by the state, from any hospital to another, and shall appoint such agents as are necessary to see that veterans admitted to hospitals are receiving necessary food, clothing, care and treatment. 1927, C. 264, S. 7

Sec. 1948. Amount to be paid by veteran. The commission shall determine the sum to be paid by such applicants as it may admit to the home or a hospital, who, in the judgment of the commission, may be able to pay in whole or in part for their support, and fix the amount to be paid for medical and surgical care or treatment, food and clothing furnished such veterans at the home or at a hospital. 1927, C. 264, S. 8

Sec. 1949. Hospital care. Any hospital, upon request of the commission, shall furnish any veteran, determined by the commission to be entitled to admission thereto, necessary food, clothing, care and treatment therein at the expense of the state, and such veteran shall have preference for admission into such hospital. 1927, C. 264, S. 9

Sec. 1950. Commitment to United States Veterans' Bureau Hospital. Any court of probate may commit any veteran residing within its jurisdiction, who shall be found by such court to be in need of care and treatment for any mental disease, to the United States Veterans' Bureau Hospital in this state. Such court shall proceed in making such commitment in the same manner as is provided for the commitment of persons to the state hospitals 1929, C. 302

for the mentally ill. The probate fees and other actual costs of such commitment shall be paid by the treasurer, upon the order of the comptroller, to the judge making the commitment, upon certification by such judge of such fees and costs, and such judge shall disburse the same. The provisions of this section shall not apply to a veteran so committed who may be drawing a United States pension at the time of commitment and who has no wife or husband, no child or children under sixteen years of age, dependent upon him or her for support.

1939

Sec. 1285e. Commitment of mentally ill veteran. When it shall appear that any veteran is eligible for treatment in a veterans administration facility and commitment shall be necessary for the care and treatment of such veteran, the court of the district in which the veteran is found, may, upon receipt of a certificate of eligibility from the veterans administration, and, if the veteran be adjudged mentally ill in accordance with the law, direct such veteran's commitment to the veterans administration for hospitalization in a veterans administration facility. Thereafter such veteran, upon admission to any such facility, shall be subject to the rules and regulations of the veterans administration and the chief officer of such facility shall be vested with the same powers as are exercised by superintendents of state hospitals for mental diseases within this state with reference to the retention, transfer or parole of the veteran so committed. Notice of such pending commitment proceedings shall be furnished the person to be committed and his right to appear and defend shall not be denied. The commitment of a veteran to a veterans administration facility within this state by a court of another state under a similar provision of law, shall have the same force and effect as if such commitment were made by a court of this state.

1927, C. 264, S. 11
1929, C. 72, S. 3
1937, S. 626e
1945

Sec. 1951 as amended by Sec. 441h. Care elsewhere than in the home. The commission may expend from its general appropriation such sum of money as may, in the judgment of said commission, be necessary to suitably care for and maintain, either at his or her residence or in a hospital or other suitable place in the state, any veteran who is eligible to be admitted to the home and is unable to be removed thereto by reason of illness or accident, until he shall be able to be removed to said home and also any female veteran, provided not more than four dollars per day shall be expended for the care and treatment of any veteran at any hospital receiving aid from the general assembly unless special care and treatment be required, when such sum as determined by the commission may be paid.

1927, C. 264, S. 12

Sec. 1952. Treatment of dipsomaniacs. Any veteran, who, in the opinion of the commission, is entitled to admission to the home and who is a dipsomaniac or so addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control, and who is unable to bear the expense of treatment for any disease, shall be entitled to receive such treatment under the direction of the commission at the expense of the state, but such expense shall not exceed in any one year the sum of two thousand dollars. Any veteran who may wish to avail himself of the benefits herein provided for shall make application to the commission, which shall have the sole power to grant or refuse such application and prescribe the place where and the conditions under which such treatment shall be received.

1927, C. 264, S. 13
1929, C. 72, S. 4
1937, S. 772c
1945

Sec. 1953. New statute Sec. 443h. Support of families of veterans. Upon application to the commission by a widowed mother, wife or husband or child or children under sixteen years of age who are without adequate means of support, of any veteran admitted to the home or any hospital or being cared for under

the provisions of section 626e, the commission shall certify to the comptroller an amount **not to exceed ten dollars per week for each dependent widowed mother, wife or husband and not to exceed six dollars per week each for such dependent child or children,** to be paid monthly to, or for the support of, such dependent, and the comptroller shall thereupon continue to make the payment or payments specified in such certificate until notified by the commission of a change in such amount or a revocation of such certificate. No person for whose account such expenditure is authorized shall be permitted to be an inmate of any almshouse.

Sec. 1954. Fees for commitment. The probate fees and other actual costs of commitment of veterans who are eligible to admission to the home or to a hospital shall be paid by the comptroller to the judge making the commitment, who shall disburse the same, such fees and costs being taxed and certified by such judge; but the provisions of this section shall not apply to a veteran so committed, who may be drawing a United States pension at the time of commitment and who has no wife or husband or child under sixteen years of age, dependent upon him or her for support. 1927, C. 264, S. 14

Sec. 1955. Commission to investigate complaints. The commission shall have full power to investigate all complaints that may be made to it respecting the conduct or treatment of such veterans and for that purpose shall have power to compel the attendance of witnesses under oath. If, upon such investigation, the commission shall find that any veteran has not received proper care or has been ill treated or abused by any officer or employee of a hospital, it shall forthwith certify that fact to the proper officer of such hospital who shall cause the offender to be prosecuted, disciplined or dismissed, as the commission shall direct. If no adequate grounds shall exist for such complaint, the commission shall certify that fact to the proper officer for such hospital. 1927, C. 264, S. 15

Sec. 444h. Weekly allowance to widows. Weekly allowances, to be determined by the commission, but in no case in excess of the amount required for the support of an inmate of the home, shall be paid by the comptroller for the support and maintenance of the widow of a man who served in the military or naval forces of the United States, in either the civil or Spanish-American war, who had been honorably discharged from the same and was a resident of this state at the time of his death; provided any such widow, at the time of making application for such aid, shall be without adequate means of support or by reason of age or disability shall be unable to support herself and provided such widow shall have been married prior to June 27, 1905, if her husband was a veteran of the civil war, or prior to January 1, 1938, if her husband was a veteran of the Spanish-American war and provided such widow shall have lived with such husband continuously from the time of her marriage to him to the time of his death, separations of a temporary or ordinary nature excepted, and that such widow shall be a resident of this state when applying for such aid and shall continue to reside in this state while receiving it. 1927, C. 264, S. 21 1930, S. 1956 1945

Sec. 1961 as amended by Sec. 776c as amended by Sec. 630e. Burial expenses. When any veteran shall die, not having sufficient estate to pay the necessary expenses of his last sickness and burial, the state shall pay the sum of one hundred dollars towards such funeral expenses, and the burial shall be in some cemetery or plot not used exclusively for the burial of the pauper dead and the same amount shall be paid if the body be cremated, but no amount shall be paid for the expenses for burial or cremation un- 1918, S. 1916 1927, C. 264, S. 16 1935, S. 776c 1937, S. 630e

less claim therefor shall be made within one year from the date of death. No provision of this section shall prevent the payment of the sum above named for the burial of any person, otherwise entitled to the same, on account of such burial being made outside the limits of this state. The selectmen or board of public charities of the town in which such veteran shall have resided or died or is buried shall pay the burial expenses of such veteran, and, upon satisfactory proof by the selectmen or board of public charities to the veterans' home commission, of the identity of the deceased, the time and place of his death and burial and the insufficiency of his estate, and the approval thereof by the veterans' home commission, said sum of one hundred dollars shall be paid to the selectmen or board of public charities by the comptroller; provided, in cases of death occurring abroad, application may be made under the provisions hereof after the remains of such deceased veteran shall be brought to this country for interment. Whenever the comptroller shall have lawfully paid any sum toward the expenses of the burial of any deceased soldier or sailor, and it afterwards appears that the deceased left any estate, the comptroller may present a claim in behalf of the state against the estate of such deceased soldier or sailor for the sum so paid, and the claim shall be a preferred claim against such estate, and shall be paid to the treasurer of the state. The veterans' home commission, upon the advice of the attorney general, may make application for administration upon the estate of any such deceased soldier or sailor, if no other person authorized by law shall make such application within sixty days after such payment has been made by the comptroller.

1927, C. 264, S. 17, 18 1935, S. 777c

Sec. 1962 as amended by Sec. 777c. Headstones to be approved by the state. When the grave of any person, who, in time of war, served in the military or naval forces of the English colonies in America, prior to 1776, or the grave of any veteran which is located in this state, shall be unmarked by a suitable headstone, or shall be marked by a bronze marker erected by this state or by a marker furnished by the United States government, the veterans' home commission shall, upon application, cause to be erected at such grave a suitable headstone, marked with the name of the deceased, the date of his death and his age, if the same be furnished to said commission, and the organization to which he belonged. The expense of such headstone shall not exceed fifty dollars and shall be paid by the comptroller. Said commission, upon application, may furnish suitable headstones for the graves of persons specifically mentioned in this section, when such graves are located outside the limits of this state, provided the applicant has, prior to shipment, agreed to pay transportation charges to destination and costs of erection of such stone.

1918, S. 1921 1919, C. 2 1927, C. 26 1935, S. 779c 1937, S. 633e 1943, S. 404g 1945

Sec. 1965 as amended by Sec. 445h. Temporary assistance. Any veteran, as defined by section 442h, who is a citizen of this state and who, through disability or other causes incident to such service, is in need of temporary financial assistance, may be provided for by the veterans' home commission by a method similar to that provided in section 121f, the amount and continuance of such assistance to be discretionary with said commission. The widow, each child, parent, brother or sister of any soldier, sailor or marine, who died while in such active service, may be assisted by said commission if such person or persons shall be without sufficient means of support by reason of the death of such soldier, sailor or marine. In carrying out its duties under the provisions of this section, said commission is directed to cooperate with such federal agencies as may aid in securing prompt and suitable treat-

ment, care and relief of any such soldier, sailor or marine or his dependents. The records of the agencies of the state shall be placed at the disposal of said commission and such agencies are directed to co-operate with and to assist it and its agents in its duties.

Sec. 1966. Aid restricted. No person shall receive aid under the provisions of this part who is receiving aid under the provisions of Part II of this chapter, and no person receiving aid under the provisions of section 1965 shall receive aid under any other provision of this part. 1929, C. 73, S. 6

Sec. 1967. New statute Sec. 454h. Custody; administration. The soldiers, sailors' and marines' fund shall remain as established and as it may be augmented, from time to time, by the cigarette tax as provided in Sec. 301h and shall be in the custody of a board of trustees consisting of the treasurer and the investment committee. Said board shall administer said fund as required by the provisions of this chapter, and shall reinvest the same from time to time in such securities as may be legal investments for trust funds. The interest accumulations of the fund so held in trust or so much thereof as shall be found necessary to carry out the purposes hereinafter stated, or in case of deficiency, so much of the proceeds of the cigarette tax as may be necessary to make up such deficiency, shall be paid, upon the order of the comptroller, upon such statements, as he may require, to the treasurer of the American Legion, who shall disburse the same, and the balance of said proceeds shall then be added, annually, to the principal of the fund. Such payments shall be made at such definite and stated periods as shall be necessary to meet the convenience of the American Legion and said board of trustees; but each payment shall be made upon the order of the treasurer of the American Legion, duly approved by at least two of its executive officers or of a special committee thereof thereunto specially authorized. No part of the interest accumulation of said fund shall be expended for the purpose of maintaining the American Legion. 1919, C. 336, S. 1; 1921, C. 391, S. 1; 1937, S. 634e; 1945

Sec. 453h. Increase in the soldiers, sailors and marines' fund. The principal of the soldiers, sailors and marines' fund shall be increased until the value of the property contained in said fund reaches fifteen million dollars. Such fund, as so increased, shall be administered by the trustees of said fund in accordance with the provisions of sections 454h and 1968 to 1970, inclusive, as amended. 1945

Sec. 468c. New statute Sec. 301h. Tax of one and one-half mills imposed. A tax is imposed on all cigarettes held in this state by any person for sale, said tax to be at the rate of one and one-half mills for each cigarette, and the payment thereof to be evidenced by the affixing of stamps to the packages containing the cigarettes, as provided in this chapter. One-third of the proceeds received from the imposition of this tax shall be allocated and added to the soldiers, sailors and marines' fund by the state treasurer as certified by the tax commissioner, to be administered by the trustees of said fund in accordance with the provisions of sections 1967 to 1970, inclusive, as amended, until such time as the principal of said fund shall amount to the sum of fifteen million dollars, and thereafter such allocation shall cease. 1935, S. 468c; 1945

Sec. 1968 as amended by Sec. 441h and Sec. 455h. Expenditures. All moneys so paid to and received by the American Legion shall be expended by it in furnishing food, wearing apparel, medical or surgical aid, care or relief to, or in bearing the funeral expenses of, soldiers, sailors or marines who served in any branch of the military service of the United States between April 6, 1917, and November 11, 1918, or between December 7, 1941, 1919, C. 336, S. 2; 1921, C. 391; 1927, C. 294; 1929, C. 182; 1935, S. 780c; 1937, S. 635e; 1943, S. 405g; 1945

and the date of cessation of hostilities as fixed by the United States government, all dates inclusive, or served in the Spanish-American war as defined in section 403g, as amended, or who were engaged in any of the wars waged by the United States during said periods in the forces of any government associated with the United States, and who have been honorably discharged therefrom or honorably released from active service therein. and who were citizens or resident aliens of the state at the time of entering said armed forces of the United States or of any such government, or to their wives who are living with them, or to their widows who were living with them at the time of death, or dependent children under sixteen years of age, who may be in need of the same; and to or of any woman who was regularly enlisted in any branch of the army, navy or marine corps during any of such periods and who was honorably discharged therefrom. All such payments shall be made by the American Legion under authority of its by-laws which by-laws shall include provisions for the determination of persons entitled to such aid and shall be approved by the board of trustees, provided not more than four dollars per day shall be expended for the care and treatment of any person entitled to the benefits provided for herein, at any hospital receiving aid from the general assembly unless special care and treatment shall be required, and provided the sum expended for the care or treatment of such person at any other place than a state-aided hospital shall in no case exceed the actual cost of supporting such person at Fitch's Home for the Soldiers, unless special care and treatment be required, when such sum as may be determined by the treasurer of such organization may be paid therefor. The treasurer of such organization shall account to said board of trustees during the months of January, April, July and October for all moneys disbursed by it during the three months next preceding the first day of either of said months, and such account shall show the amount of and the name and address of each person to whom such aid shall have been furnished. Upon the completion of the trust provided for in section 1967, the principal fund so held by said board of trustees shall revert to the treasury of the state.

1919, C. 336, S. 4

Sec. 1970. Certain persons excepted. No person shall receive aid or assistance under the provisions of this part who is receiving aid under the provisions of section 1965.

1918, S. 3020
1935, S. 1254c
1945

Sec. 2962. New statute Sec. 676h. Resident veteran may sell without license. No town, city or borough shall require a license fee from any resident of this state who shall have resided within the state for a period of two years next preceding the date of application for such license and who is a veteran as defined by section 442h, for the privilege of buying, selling or vending goods, wares or merchandise within its limits; provided lapel pins, buttons, flowers, small flags and similar novelties and books and magazines shall not be construed to be goods, wares or merchandise within the meaning of this section. Each such town, city or borough may defer issuance of such license for a period not to exceed seven days for the purpose of investigation. Each such veteran engaged in any of said occupations shall produce his discharge, certificate of honorable discharge from the service or a copy thereof certified by the town clerk from the records of the town where such discharge or certificate of discharge is recorded as provided in section 1168, as amended by section 330e and 272h for inspection, together with a certificate from the town clerk that the applicant is a resident of the state, upon the demand of any proper officer of any town, city or borough in which he may be pursuing any of said occupations and, if he shall fail to do so,

he shall not be entitled to any privilege under this section. Any person who shall make a false representation for the purpose of availing himself of the privilege of this section shall be fined not more than twenty-five dollars.

Sec. 2994. Headstones at soldiers' graves. No cemetery association shall make or enforce any by-law, order or regulation prohibiting the erection of any tombstone or headstone provided by the state or otherwise, at the grave of any soldier, sailor or marine buried in such cemetery. Each association or officer thereof who shall violate any provision of this section shall be fined fifty dollars. 1918, S. 3046

Sec. 1283e. Administrator of veterans' affairs. Party in interest. The administrator of veterans' affairs, created by act of the congress of the United States, or his successor, shall be a party in interest in any proceedings brought under any provision of the general statutes for the appointment of a guardian of a veteran of any war or other beneficiary on whose account benefits of compensation, adjusted compensation, pension or insurance or other benefits are payable by the veterans administration, and said administrator or his successor shall be an interested party in the administration of the estate of any such ward on whose account such benefits are payable or whose estate includes assets derived from benefits paid by the veterans administration, its predecessor or successor, and written notice shall be given by registered mail, unless waived in writing, to the division of the office of the veterans administration having jurisdiction over the area in which the court is located, of the time and place for hearing on any petition or pleading or in connection with any proceeding pertaining to or affecting in any manner the administration of the estate of any beneficiary of the veterans administration. Such notice shall be given at such time as to reach such office in due course of mail not less than ten days before the date of such hearing or other proceeding. 1939

Sec. 1284e. Copies of probate records to be furnished. Whenever a copy of any probate record shall be required by the veterans administration to be used in determining the eligibility of any person to participate in benefits made available by said veterans administration, the official charged with the custody of such public record shall, without charge, provide the applicant for such benefits, or any person acting on his behalf, or the authorized representative of such veterans administration, with a certified copy of such record. 1939

Sec. 5588. Depositions of soldiers or sailors. The court in which any suit may be pending, and any judge of such court in vacation, may issue a commission to any person in the military or naval service of the United States, authorizing him to take the deposition of any person in such service to be used as testimony in such suit, and such commissioner may administer the requisite oath. Such deposition shall be taken by interrogatories on the part of the party taking the same, of which reasonable notice shall be given to the adverse party, and cross-interrogatories by such adverse party, with like notice to the other side. The commission, with the interrogatories and cross-interrogatories, shall be forwarded to the commissioner, who shall make return of his proceedings to the court, under seal, addressed to the clerk of such court, if there be one, otherwise to the judge. 1918, S. 5712

Sec. 5791 as amended by Sec. 1672c. Exempt property. The following property shall be exempt and not liable to be taken by warrant, attachment or execution: Of the property of any one 1918, S. 5943

person, his necessary apparel, bedding and household furniture, and arms and military equipment, uniforms or musical instruments owned by any members of the militia for military purposes, any pension moneys received from the United States while in the hands of the pensioner, implements of the debtor's trade, his library not exceeding five hundred dollars in value, any number of sheep not exceeding ten nor exceeding in all one hundred and fifty dollars in value, two swine and poultry not exceeding twenty-five dollars in value; of the property of any one person having a wife or family, two tons of coal, two hundred pounds of wheat flour, two cords of wood, two tons of hay, five bushels each of potatoes and turnips, ten bushels each of Indian corn and rye or the meal or flour manufactured therefrom; one boat, owned by one person, and used by him in the business of planting or taking oysters or clams, or taking shad, together with the sails, tackle, rigging and implements used in such business, not exceeding in value two hundred dollars; one sewing machine, being the property of any one person using it or having a family.

1945 **Sec. 446h. Veterans remployment and advisory commission.** There is hereby established a Connecticut veterans' reemployment and advisory commission. The commission shall consist of not more than thirty resident citizens of the state who shall be appointed by the governor on or before July 1, 1945, to hold office until July 1, 1947. The commission shall be fairly representative of the interests, services and facilities of the state that are concerned with the employment, education, training, medical service and the re-establishment of veterans returning to civilian life. The governor may fill any vacancy occurring in the membership for the unexpired portion of the term thereof. The members of the commission shall receive no compensation for their services but shall be reimbursed for traveling and other necessary expenses within and without the state while engaged upon the business of the commission. A majority of the members of the commission shall be veterans of the first or second world war. The membership shall be chosen from both major political parties. The governor, the agent of the veterans' home commission, the administrator of the soldiers, sailors and marines' fund, the secretary of the state board of education, the bank commissioner and the commissioner of agriculture shall be members ex-officio.

1945 **Sec. 447h. Chairman.** On or before July 1, 1945, the governor shall appoint from among the members of the commission a chairman who shall serve for a term of two years from July 1, 1945, and until his successor is appointed and qualified. If a vacancy occurs in the chairmanship of the commission the governor shall fill the vacancy from among the members of the commission for the unexpired portion of the term.

1945 **Sec. 448h. Assistants. Employees.** The commission may appoint such assistants and employees as may be necessary and desirable to carry into effect the provisions of sections 446h to 452h, inclusive and within the limits of the appropriations made available. All assistants and employees of the commission shall be subject to the provisions of the merit system act, except that in making appointments, special consideration shall be given to the practical training and experience of applicants for the particular position concerned. The commission in filling positions shall give preference to veterans wherever a qualified veteran is available to the position involved.

1945 **Sec. 449h. To be coordinating agency.** The commission shall (a) act as the coordinating agency in the state in all matters concerning veterans and their dependents; (b) coordinate the activities

of public and private facilities concerned with veterans' reemployment, education, rehabilitation and adjustment to peacetime living, using wherever possible the services and facilities of existing agencies, offices, departments, commissions, bureaus, boards and institutions, either federal, state, local or private, and of voluntary committees or groups, either national, state or local; and each such agency of the state government or any local subdivision thereof shall cooperate with and extend their facilities to the commission; (c) foster the development of such additional facilities and services as the commission deems necessary; (d) furnish guidance and advice to local reemployment and veterans' advisory committees and assist the local commissions and areas in the state in the establishment of veterans' service centers and facilities for veterans and their dependents; (e) cooperate with all national, state and local governmental and private agencies in securing services and benefits to which a veteran or his dependents may be entitled; (f) make recommendations to the general assembly and to the governor as it deems advisable for legislation affecting the interests of veterans and their dependents; (g) cooperate with and make use of any federal or state agency now existing or hereafter created for the purpose of aiding veterans; (h) use the services and facilities of the veterans organizations so far as possible to carry out the purposes of sections 446h to 452h, inclusive; (i) encourage and coordinate vocational training services for veterans and publish a digest of all the state laws pertaining to veterans.

Sec. 450h. Local reemployment and advisory committee. Any city or town, either separately or with another city or town or other cities and towns, may or, if requested by the commission, shall, establish a local veterans' reemployment and advisory committee which, when approved by the commission, shall have the responsibility of carrying out locally the duties and purposes of sections 446h to 452h, inclusive, and, within their charter powers and as otherwise provided by law, may make available to local committees the necessary funds to carry out their duties and responsibilities. 1945

Sec. 451h. Regulations. The commission shall adopt such regulations as it deems necessary to carry into effect the purposes and provisions of sections 446h to 452h, inclusive. 1945

Sec. 452h. Effect. Nothing in sections 446h to 452h, inclusive shall affect the management of the Veterans' Home at Rocky Hill or the administration of the soldiers, sailors and marines' fund, which shall remain as provided by law on June 25, 1945. 1945

Sec. 184h. Renewals of licenses of persons in the armed forces. Renewal of any license or registration certificate or payment of any renewal fee therefor, which certificate or fee is required by the general statutes, with the exception of the fees provided for in section 1086 and 631h, shall not be required from any registrant serving in the armed forces of the United States as defined in section 158h, or who failed to renew such license or registration because of anticipating such service until the next renewal period immediately following discharge in any form except dishonorable from such service or the period following the second year after the cessation of hostilities, whichever is first. 1943, S. 179g 1945

Sec. 385h. Waiver of operator's license fees of members of armed forces and veterans. There shall be charged a fee of three dollars for each operator's license and an additional fee of three dollars for each public service operator's license. The commissioner of motor vehicles shall waive the operator's license fee and examination fee in the case of any person in the active service of 1930, S. 1579 1937, S. 490e 1941, S. 229f 1943, S. 339g Sub. Sec. (a 1945

the armed forces of the United States who was a legal resident of Connecticut at the time of his induction; and for one licensing period to any person honorably discharged from such service who applies therefor within one year following the date of discharge and was a legal resident of Connecticut at the time of his induction.

1945 **Sec. 29h. Credit for military service before employment.** Any member of the armed forces who, after discharge, becomes a member of the state retirement system shall be granted credit for the period of service rendered by him during the period when this country has been at war, provided he shall pay to the retirement fund assessments based on his first year's earnings, with interest at five per cent, in accordance with such regulations as are adopted by the state retirement commission.

1930, S. 831
1931, S. 180c
1945 **Sec. 189h. Qualifying academic certificates.** For the purposes of this section, the term "qualifying academic certificate" shall mean any certificate issued by the secretary of the state board of education certifying that the person to whom the same shall be issued has had the education required by any provision of the statutes or by any regulation of any board for admission to an examination to practise any profession or for admission to the practise of any other profession for which evidence of education shall be required by the provisions of the statutes, and, in the case of any person who has submitted evidence satisfactory to the state board of education that he has education equivalent to that required for graduation from high school, it shall mean a state high school diploma issued by the secretary of said board. Each person, except as herein provided, desiring a qualifying academic certificate shall make application therefor in the manner and form prescribed by the state board of education and shall, at the time of filing such application, pay to said board the sum of two dollars. If the credentials and evidence submitted by the applicant shall not be sufficient to entitle him to such certificate without an examination in one or more subjects, such applicant shall, before he shall take such examination, pay to said board the sum of three dollars and, for each subsequent examination and prior to taking the same, such applicant shall pay to said board the sum of two dollars. The secretary of said board shall keep a correct account of all money received by him under the provisions of this section and shall deposit with the state treasurer all such money received by him. Said board shall prescribe rules and regulations for carrying out the provisions of this section.

1945 **Sec. 190h. Secondary education for veterans.** The state board of education is authorized to provide instruction and training in subjects at the secondary level in any part of the state where there is need for such instruction for veterans of the second world war which cannot be met by town boards of education.

1945 **Sec. 191h. Veterans not required to pay fees.** No veteran of the second world war shall be required to pay the fees required by section 189h.

1945 **Sec. 809h. Loans pursuant to Servicemen's Readjustment Act.** Subject to such regulations as the bank commissioner finds necessary and suitable and to the restrictions hereinafter prescribed in sections 810h, 811h and 812h, state banks and trust companies, savings banks, building and loan associations, industrial banks and private bankers are authorized to make or invest in any loan which the administrator of veterans' affairs guarantees or

makes a commitment to guarantee pursuant to Title III of an act of Congress entitled "Servicemen's Readjustment Act of 1944", approved June 22, 1944.

Sec. 810h. Deductions made to comply with statutory limits. 1945
Such part of any such loan as said administrator guarantees or makes a commitment to guarantee may be deducted from the total amount of such loan by the institution making such loan in complying with any provision of any statute prescribing the maximum limits, in amount, of: (a) A loan or loans or net liability of any one individual; (b) a loan upon the security of real estate, with relation to the appraised value of such real estate; and (c) loans, in the aggregate, secured by mortgage of real estate.

Sec. 811h. Provisions of loans. Each such loan made or in- 1945
vested in by a savings bank, savings department of a state bank and trust company or a building and loan association shall be subject to the following additional provisions: (a) All loans pursuant to the "Servicemen's Readjustment Act of 1944" shall be secured by a mortgage of real estate, except that a loan pursuant to section 501 (b) or section 505 (a) of said act or a loan for the purpose of repairing, altering or improving a building or buildings pursuant to section 502 or section 503 of said act, shall not be required to be secured by a mortgage of real estate; (b) a loan required to be secured by a mortgage of real estate shall be secured by a first or second lien on such property; (c) the aggregate of the amount of the loan secured by a second lien on real estate and the amount of any prior lien on encumbrance on such property, less the amount of the loan or loans secured by such second or prior liens guaranteed pursuant to such act and held by such savings bank, savings department of a state bank and trust company, or building and loan association making or investing in such loan, shall not exceed, in amount, the limits prescribed by statute for a first mortgage loan upon the security of real estate by such lending institution; (d) the real estate for the acquisition or benefit of which an unsecured loan pursuant to subsection (a) of this section is made, and the real estate securing a loan pursuant to subsection (b) of this section, shall be located within the limits prescribed by statute for a first mortgage loan by a savings bank, a savings department of a state bank and trust company or a building and loan association, upon the security of real estate. The limits prescribed by statute as to the location of real estate securing a loan insured by the federal housing administrator shall be the limits for real estate for the acquisition or benefit of which a loan pursuant to section 505 (a) of such act is made: (e) a loan guaranteed pursuant to such act may be made upon such terms as the administrator of veterans' affairs approves with respect to the amount of periodic monthly payments, notwithstanding any provisions of statute prescribing the amount of periodic payments to be made on a loan secured by mortgage of real estate.

Sec. 812h. Loans to minors. Any veteran eligible for a loan 1945
pursuant to the "Servicemen's Readjustment Act of 1944" who is a minor is empowered to enter into and contract in this state for a loan or loans pursuant to such act. The claim of infancy shall not be pleaded in any action arising out of any loan made pursuant to the provisions hereof.

Sec. 983h. Admission to bar without examination of persons 1943, S. 723g
in armed forces. Any person whose moral qualifications have 1945
been approved by the bar of the county in which he has made ap-

plication for admission to the bar and who has served in the armed forces of the United States for not less than one year and who was a resident of Connecticut when inducted shall be admitted to the bar of this state without examination, upon motion of the bar association of the county in which he resides, upon his honorable discharge from such service, or within one year of the termination of hostilities, whichever is sooner, provided he shall make a request for recommendation to the bar association within one year from such discharge and provided he shall have been graduated since June 1, 1941, from a law school the standing of which is approved by the state bar examining committee.

APPENDIX

Opinions of the Attorney General

1. Where a person is no longer an employee, inmate or student of any such institution, said fund cannot be used for his benefit, and said fund cannot be used as a loan or outright gift for the benefit of persons who have been inmates but are not actually residing in the institutions during the time of their need.

Dated April 10, 1944

II Attorney at Law cannot be required under the provisions of Section 1725 of the General Statutes to disclose to a representative of the Commissioner of Welfare information concerning a client's financial affairs where his information is obtained as a result of a confidential communication to him by his client.

Dated July 6, 1935

III If conditions required under Section 1904 of the General Statutes, Revision of 1930 are fulfilled, warden may detain inmate until medical officer or physician shall report that such inmate may be discharged without danger to public health.

Dated February 13, 1935

IV Public Welfare Council may use discretion with reference to inspection of County Homes, under provisions of Sec. 713c of 1935 Cumulative Supplement to the General Statutes.

Children in County Homes are included with children under six years of age under provisions of Sec. 721c of the 1935 Cumulative Supplement.

Commissioner of Welfare cannot be member of Board of Management of County Homes when member of Welfare Council has been chosen under provisions of Sec. 1874 of the General Statutes.

Commissioner of Welfare has authority to inspect County Homes as required by Sec. 713c of the 1935 Cumulative Supplement and Sec. 1914 of the General Statutes, when not chosen a member of Board of Management.

Children in County Homes under guardianship of board of management require care, protection and discipline of State.

Dated October 15, 1937

V Children under the care of towns or in the county homes under the age of six are receiving proper care and, therefore, would not be neglected or uncared for children. The word "neglected" as used in this particular legislation means there has been a failure to attend due care and there has been an avoidance or disregard of a duty and an uncared for child would be one who is not receiving proper care and attention is not being properly watched, fostered or guarded, or there has been a lack or absence of watchful attention, whereas any child who is receiving proper care from a public organization would not be classified as neglected or uncared for.

The jurisdiction of the Bureau of Child Welfare under this particular legislation ceases when the child reaches the age of fourteen.

A court may revoke the commitment upon finding the cause for commitment no longer exists and upon such revocation all control of the Bureau of Child Welfare over such child terminates.

Dated June 13, 1933

VI The Commissioner of Child Welfare may give a child in adoption in accordance with the statute authorizing legal release by the parents or former guardian.

Dated July 2, 1935

VII The Commissioner of Welfare having consented to the adoption of a child belonging in the classification of Section 726c of the Cumulative Supplement of 1935, the approval of the Public Welfare Council should be signified by the personal signature of a majority of the entire Board, to wit: at least three of the members thereof.

Dated February 17, 1936

VIII Chapter 301 of the Public Acts of 1935 (Sec. 692c of the 1935 Cumulative Supplement to the General Statutes) does not give town, city, police or borough courts the right to transfer cases of persons between the ages of sixteen and eighteen years from their jurisdiction to the jurisdiction of juvenile courts.

Dated July 9, 1935

IX Juvenile Court may not commit children directly into the care and custody of the Commissioner of Welfare or to the Division of Child Welfare.

Dated March 26, 1936

X "... a board of management of a county temporary home has the power to discharge unconditionally to the custody of the parents when all facts in connection with the case would seem to justify this action."

"... a county ward who enlists in the U. S. Navy at the age of seventeen years is still under full guardianship of the board of management of such county home unless such guardianship has been transferred as provided therein, or unless he has been discharged by said county home."

"... the commitment of a county ward by a juvenile court to a State institution for delinquency automatically releases such ward from county custody."

"... when a juvenile court commits a county ward to any State institution for delinquency such ward is under the control and guardianship of the institution to which such ward is committed until such ward reaches the age of twenty-one years unless transferred or discharged."

Dated October 8, 1942

XI The counties are entitled to receive from the state the actual expenses up to three dollars and fifty cents per week for each child living in free homes.

Dated February 14, 1939

XII "... county commissioners are not responsible under the provisions of section 706c, for the payment of the total cost of the education of children placed out at the St. Francis Orphan Asylum who attend the Highland Heights School."

Dated August 24, 1943

XIII The words "public hearing", as used in said Section 5794, as amended, are used to denote an open hearing which the public may attend, as distinguished from a hearing in chambers.

A "public hearing" is necessary upon every application for removal of a guardian under said Section 4794, as amended.

To constitute a public hearing it is not necessary that any particular person, or persons, be present. It is only necessary that the hearing be held in open court at which interested parties have a right to appear and be heard.

Dated August 30, 1945

XIV "... In the absence of express statutory provision, a married woman, coming to Connecticut from another State cannot gain a settlement by commorancy. This also applies to other persons who are Non Sui Juris."

Dated January 1943

XV The term "without having received aid from any other town or the State" in statute relating to the gaining of settlements by inhabitants of other towns cannot be construed to bar a person from acquiring a settlement in a town in this State because he may have been furnished relief by the Federal Government, and it makes no difference in whichever form the relief was furnished.

Dated August 24, 1942

XVI The mere failure of a poor person to pay his personal tax when due is not aid sufficient to stop the gaining of a settlement in a town and therefore a person who resided in a town more than four years without becoming chargeable to the town for support during said period gained a settlement therein.

Dated January 23, 1941

XVII Child takes settlement of father, if legitimate, and of the mother, if illegitimate.

Legitimacy presumed even though parents are living apart.

Dated August 11, 1937

XVIII Persons receiving Old Age Assistance are included within the provisions of the act.

Dated August 3, 1939

XIX When children committed to County Homes are supported either in whole or in part, at the expense of the town of

legal settlement of the parents or at the expense of the town where the parents may be residing, such parents would not gain a new settlement in a town in this State to which they may remove as such parents would not have maintained themselves for a period of four years without becoming chargeable to either town.

Dated November 7, 1934

XX Children take settlement in the town where parent or parents reside at the time of birth.

Dated January 20, 1936

XXa Section 1688 of the general statutes does not apply when one of the parties, at the time of marriage, was receiving public assistance in another state.

Dated September 25, 1939

XXb Not the intention of the Legislature to prevent a person from gaining a settlement in Connecticut while a member of his family was receiving public relief in another state.

Dated September 25, 1939

XXI 1. Not mandatory in reference to its administration by selectmen of the town.

2. It is retroactive in that a town may claim reimbursement for aid given prior to enactment of this section.

3. The words "board of selectmen" as used in Section 110e cannot be interpreted to mean "other relief administrators."

4. An Old Age Assistance lien will take precedence over a lien filed under Section 110e when filed subsequent to a lien filed under said Section 110e.

Dated August 25, 1939

XXII The status of a person having a settlement in one town, but who resided and received relief in another town prior to July 1st, 1941, is not changed because of the enactment of Chapter 142 of the Public Acts of 1941 relating to the loss of settlement by a person who shall have resided outside of a town for four consecutive years.

A person who has resided outside of the town of settlement since June 30, 1937 without gaining a settlement elsewhere is without a settlement if he applies for aid subsequent to June 30, 1941.

Dated August 14, 1941

XXIII A wife and/or unemancipated minor children come within the meaning of the words "any person" as used in said statute, and that the residence of the wife and/or unemancipated minor children follows that of the father, if living. Upon the death of the father the residence of unemancipated minor children follows that of the mother.

An unemancipated minor, whose parents are alien or who are without settlement, loses the settlement acquired by birth in a Connecticut town after residing four consecutive years outside the town of settlement.

A wife and/or unemancipated minor children, whose settlement is derived from a husband and/or father who is confined in an institution as a pauper, do not lose settlement by residing outside said town for four consecutive years.

A husband, whose wife and/or unemancipated minor children are confined in any institution as paupers, loses settlement by residing out of town of settlement for four consecutive years.

A person settled in one town who removed to another town and within a four-year period is confined in any institution does not lose such settlement at the end of four consecutive years.

A pauper placed by the town of settlement does not lose settlement in said town at the end of four consecutive years.

The words "any person", as used in said section 367g, apply to unemancipated minor children, and that their residence and domicil is that of their parents. The fact that said children, aged three and five years, are confined in an institution does not exempt them from the operation of said statute. (a) The parents lost their settlement and (b) the children lose their settlement.

Dated February 16, 1944

XXIV The desertion of a wife by her husband would not free her from the duty of supporting him if he has become poor and unable to support himself, and if able to support her husband upon a reasonable standard of health, he would not be eligible to old age assistance award.

Dated February 18, 1936

XXV The Bureau of Old Age Assistance may make an award to an applicant who has legally liable relatives financially able to support him. Where the legally liable relatives are non-residents and do not own property within the state against which the liability might be enforced.

The words "resident" and "reside" are used in the Old Age Assistance Act in the sense of actual place of abode with actual physical existence within the state, concurrent with an intention to remain therein, or if absent, temporarily, to return thereto.

Dated October 10, 1935

XXVI "...an applicant for Old Age Assistance who is being temporarily hospitalized, is not an inmate of such hospital and is entitled to be granted an award and to receive payments while being thus hospitalized."

Dated March 26, 1942

XXVII The reimbursement agreement and lien is a lien within the meaning of the law, and the general statutes of limitation do not apply to an action to foreclose said lien.

Dated October 30, 1944

XXVIII Persons under conservator should sign and swear to application if he has sufficient intelligence to understand the conditions thereof, and a just appreciation of the obligations of an oath.

Dated January 22, 1936

XXIX The nature of the so-called appeal allowed by various statutes from the decisions of administrative boards is not an appeal in the sense of a transfer of jurisdiction from one Court to another, but simply a process, under the misleading name of appeal, for invoking the juridical power to determine a legal injury complained of, or the legality of an act done by the officers of another department.

In granting awards and performing all other duties set forth in Chapter 99a of the Supplement to the General Statutes, the Bureau of Old Age Assistance, in charge of the Commissioner of Welfare, acts in an administrative and not in a judicial capacity and the decision of the Bureau is conclusive in the absence of proof that it acted arbitrarily, illegally or so unreasonable as to have abused the discretion reposed in it.

A hearing before the Superior Court on an appeal taken, under Section 631e of the 1939 Supplement, from a decision of the Bureau of Old Age Assistance is not a trial de novo, except in a restricted sense, and the Court, upon such hearing, is limited to a review of the facts for the purpose of determining whether the Bureau acted arbitrarily, illegally or in abuse of its discretion.

Dated June 18, 1941

XXX Check received by beneficiary, who dies at expiration of week for which payment is due, constitutes payment, and may be negotiated by executor or administrator.

Delivery of check is completed when deposited in mail at request of beneficiary.

Assistance warrants are governed by law applicable to checks.

Dated April 8, 1937

XXXI Welfare commissioner is not obligated to pay funeral expenses of all old age assistance beneficiaries . . . but only in those cases where he in his discretion believes a need for such payment to exist.

Dated July 8, 1937

XXXIa . . . a claim of the state for reimbursement for old age assistance payments has priority over all unsecured claims or charges usually allowed as preferred claims, except those specifically mentioned in said subsection (b), i.e., 743 ss b.

Dated May 21, 1940

XXXII Inmates of Norwich State Hospital are not to be included as part of the population of the town of Preston for the purpose of computing the basis of the town's share towards the Old Age Assistance tax ———. The same conclusion and reasoning will apply for penal institutions such as Cheshire Reformatory and the State Prison, and for all county charitable institutions.

Dated August 29, 1935

XXXIII Town may not deduct the cost attendant on collection in apportionment of old age assistance tax.

Dated April 28, 1936

XXXIV Under the provisions of Section 757c of the Cumulative Supplement each person between the ages of twenty-one and sixty years inclusive, residing in each town in this state on the first

day of October, 1936, shall pay the old age assistance tax of three dollars. The chief executive authority in such town may abate the tax in accordance with Section 761c of the Cumulative Supplement to the General Statutes.

Dated October 21, 1935

XXXV Special Old Age Assistance Tax collector is not independent of regular tax collector, but is rather his agent. Tax collector must file an additional old age assistance bond in addition to his regular bond.

Dated July 23, 1935.

XXXVI An asylum is defined as an institution for the protection or relief of the unfortunate, as an asylum for the poor, for the deaf and dumb, or for the insane.

The words "hospital for mental illness" should not be substituted in our statutes for the word "asylum" except when the word "asylum" refers to an institution for the protection and care of insane persons.

Dated September 8, 1941

XXXVII The soldiers and Sailors Civil Relief Act has no application to proceedings for the commitment of insane persons, inebriates, dipsomaniacs, drug addicts, feeble-minded, crippled children or dependent or neglected children by the Probate Court.

Dated October 8, 1941

XXXVIII It is evident that if a patient is on parole and under conservatorship, his contract of employment is wholly void and his signature is of no legal effect whatever.

In the case of a patient on parole and not under conservatorship, any contract made with him is valid subject to be avoided by him upon being restored to full mental capacity or after he has been discharged from your institution *(a state hospital for the care of the mentally ill) in due course of law. In such a case, you have the right to employ him, providing that no advantage is taken of him in the contract of employment.

Dated March 21, 1945

XXXIX Mentally ill patients at one State Hospital may be transferred to another State Hospital, (1) upon application of the *State Agent or Superintendent of the institution where committed to the court of commitment, and by order of such court after hearing; (2) by order of the Governor; and, (3) by agreement of the Superintendents of the respective institutions.

Such transfers would always be subject to review by a court of competent jurisdiction upon proper application.

Dated February 22, 1933

XL Parole Board has authority to parole **** into custody of *State Agent for the purpose of transfer to the Worcester State Hospital.

Dated February 28, 1939

XLI "... Sections 1751 and 1771 refer to different subject matters, they are not in conflict, and can be read together. The

* The State Agent is now the Commissioner of Welfare.
* State Agent has become the Commissioner of Welfare and the Worcester State Hospital is a hospital outside of the State of Connecticut.

legislature did not, by implication, repeal section 1771, and, therefore, both statutes are in full force and effective. Therefore, section 1751 does not authorize the transfer of patients between institutions who have been committed by city and police courts, even though the crime involved may be a petty offense."

Dated June 29, 1943

XLII "... the term 'any common jail' means any county jail established under section 2005 of the General Statutes but does not include a temporary place of detention such as a police station or lock-up."

"... sections 1752, and 1753 apply only to those persons who have been convicted and sentenced for a crime to a common jail and who have become insane while confined therein. Persons committed for trial to a county jail or binding over process, mittimus, bench warrant or appeal, who became insane may be committed to a hospital for the insane under the provisions of section 6431 of the General Statutes as amended by section 1722c of the supplement to the General Statutes."

"... a person confined in a common jail who becomes violently insane may not be admitted to a state hospital for the insane on an emergency certificate."

Dated April 10, 1942

XLIII The words "suitable person" as used in said Section 1761 mean any person whom it is proper for a mentally ill person to communicate with, such as friends, relatives, or any other persons with whom he may have any lawful business, including those mentioned in Section 1760 of the General Statutes. Generally speaking, all other persons may be considered unsuitable for a mentally ill patient to communicate with.

Dated June 30, 1944

XLIV A probate court has jurisdiction with reference to the commitment to the Mansfield State Training School and Hospital or the Southbury Training School of a person who is residing in a private or public institution, or a private home in a town within the jurisdiction of said probate court if the said person has settlement in another town outside of said court's jurisdiction.

"... (1) in case of a pauper application must be made by the selectmen of the town in which such person actually resides and

(2) in all other cases applications may be made either by the selectmen of the town in which such person actually resides or by any relative, guardian or the Commissioner of Welfare."

Dated March 4, 1942

XLV "... When a child is taken from the Board of Management of a temporary home or the Commissioner of Welfare and committed to either the Mansfield State Training School and Hospital or the Southbury Training School the superintendent of the institution to which such child is committed is the legal guardian of such child to the exclusion of the said Board of Management or Commissioner of Welfare."

"... The Commissioner of Welfare or the Board of Management of a temporary home has no responsibility for the care

or payment of board of a child committed to either the Mansfield State Training School or the Southbury Training School."
Dated June 30, 1942

XLVI A town has no power to contribute to the maintenance of a hospital located outside of the town limits. The statute, which provides that a town may make appropriations for the maintenance of any hospital, is limited in its provision to a hospital 'located within such town.'

The Town of Wallingford has no power to appropriate a sum of money, in the nature of a contribution, to a hospital located in the neighboring City of Meriden.
Dated November 20, 1942

bar to the acquiring of a settlement by him in the town in which he resides.
Dated August 24, 1942

XLVIII A trial justice has the power of commitment to the Connecticut State Farm for Women under the provisions of Section 1800 of the General Statutes. His Court has, by virtue of legislation passed in 1939 and 1941, the status of a criminal court, and is different from that of the former Justice of the Peace Court. Opinion rendered by the Attorney-General in 1934 re. commitment to the said Farm by Justice of the Peace is not applicable to, and does not govern, commitments by Trial Justices.
Dated March 9, 1942

XLIX Municipal courts, the Court of Common Pleas or the Superior Court may not commit to the Connecticut Reformatory offenders who are more than twenty-five years of age.
Dated July 30, 1943

L "... Municipal courts, the court of common pleas or the superior court may not commit to the Connecticut Reformatory offenders who are more than twenty-five years of age."
Dated July 30, 1943

LI The State Board of Pardons has power and jurisdiction, irrespective of the degree of the offence or term of punishment imposed, to grant pardons or other relief to person whose sentence was other than confinement in State Prison. This power and discretion applies to jail sentences.
Dated May 9, 1936

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